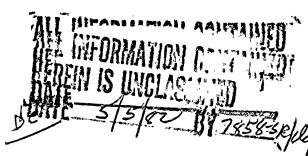
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The Attorney General 65-75085-398 Director, FBI

> RODINO COMMITTEE REQUEST FOR NATIONAL SECURITY WIRETAP RECORDS

May 20, 1974



Enclosed is a copy of a letter dated May 14, 1974, which I have received from Congressman Peter W. Rodino, Jr., wherein he requests on behalf of the Committee on the Judiciary of the House of Representatives specific documents relating to wiretap coverage instituted at the request of the White House, along with a copy of my response to Congressman Rodino.

Since I do not feel that I have the authority to comply with his request, I have enclosed copies of each of the documents which he requested for your review and response to Congressman Rodino.

It is noted that certain documents pertaining to Morton H. Halperin are under a protective order issued by the United States District Court in connection with Halperin v. Kissinger and that Congressman Rodino states that a request has been made to the Court for a modification of the Court's Order prohibiting disclosure of these documents.

Mr. James Wilderotter, Associate Deputy Attorney General, has previously been advised of this request.

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JACK BROOKS, YEX.
ROBERT W. KYSTENMEIER, WIS.
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Congress of the United States Committee on the Judiciary House of Representatives Washington, D.C. 20515

GENERAL COUNSELS JEROME M. ZEIFMAN

Associate general counsel Garner J. Cline

GARNER J, CLINE
COUNSELJ
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MAURICE A, BARBOZA
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THOMAS E, MOONEY
MICHAEL, W, BLOMMER
ALEXANDER B, COOK
CONSTANTINE J, GEKAS

May 14, 1974



Clarence M. Kelley, Director Federal Bureau of Investigation Department of Justice Washington, D. C. 20530

Dear Director Kelley:

After contact with Assistant FBI Director Tom Smith, one of the attorneys on the House Judiciary Committee Special Inquiry Staff has completed an initial review of the FBI files on the "June" wiretaps instituted at the request of the White House from May 10, 1969, through February 10, 1971. As you know, one of the areas of inquiry with which the Judiciary Committee was charged by the House of Representatives in H. Res. 803 is allegations concerning electronic and other surveillance activities conducted or instigated by the White House. area of the 1969 "June" wiretaps, it is necessary for the staff to be able to report to the Judiciary Committee the facts concerning the basis for the wiretaps, the nature of the material transmitted to the President, Dr. Kissinger, Mr. Haldeman and Mr. Ehrlichman, and the FBI's investigation into the removal of the logs and files from the FBI and the retention of those files and logs in the White House.

The examination of the materials at the FBI has indicated that the parts of your files listed in the appendix to this letter are necessary to our consideration of this matter.

We understand that all of the materials related to these wiretaps bear the base file number 65-75085, followed by a serial or sequence number. The references contained in the appendix are therefore to the sequence numbers only, with the base file numbers being omitted.

ENCLOSURE

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Clarence M. Kelley, Director Page 2 May 14, 1974

Part II of the Appendix lists documents now on file at the United States District Court in the <u>Halperin v. Kissinger</u> suit, CA 1187-73, District Court for the District of Columbia. A request to the Court is being made for a modification of the Court's Order prohibiting disclosure of the documents under seal to permit the FBI to furnish copies of those documents to us directly rather than copying the Court's sealed material. We will advise you of the Court's action on that part of the documents.

For our purposes, photocopies of the documents will be satisfactory. We would appreciate it if we could obtain copies not later than May 20, 1974.

If there are any questions as to the documents sought or other matters relating to the wiretap files, I would appreciate it if your representative would contact Mr. Associate Counsel, on the Special Inquiry Staff, at

The materials furnished will be maintained by the Judiciary Committee staff in a secure area, and may be examined only by the members of the Committee. Copies will not be made public.

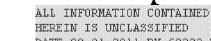
We appreciate your cooperation on this matter, and again I assure you that this request is made based on the necessity of the documents to a full, fair and impartial inquiry pursuant to the high Constitutional duty of the House of Representatives to determine whether or not sufficient grounds exist for the House to impeach the President of the United States.

PETER W. RODINO, JR.

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Chairman



DATE 09-21-2011 BY 60322 UC/LP/PLJ/JCF

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APPENDIX

PART II

(Documents filed in Halperin v. Kissinger)

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- (3) Document 67-205182-647 (10)
- (4) SN 65-75085-263 -264

U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON THE JUDICIARY

WASHINGTON, D.C. 20515

OFFICIAL BUSINESS



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10-12-2011 BY 60322 UC/LP/PLJ/JCF

Clarence M. Kelley, Director Federal Bureau of Investigation Department of Justice Washington, D. C. 20530

May 20, 1974

fan

Honorable Peter W. Rodino, Jr. Chairman, Committee on the Judiciary House of Representatives Washington, D. C. 20515



Dear Mr. Chairman:

I am in receipt of your letter of May 14, 1974, requesting copies of FBI documents relating to wiretap coverage instituted at the request of the White House between May 10, 1969, and February 10, 1971.

While I want to cooperate with your Committee in every way possible, I am sure you understand that as Director of the FBI, I do not have the authority to release the requested documents without the prior approval of the Attorney General. I have, therefore, furnished the documents to the Attorney General, and I have been informed that he or members of his staff will respond directly to you concerning the matter.

In order to expedite response to any further requests for PBI documents or material, I suggest that such requests be made to the Attorney General rather than directly to the FBI.

Sincerely yours,

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Clarence M. Kelley

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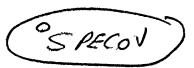
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Director, FBI

RODINO COMMITTEE REQUEST FOR NATIONAL SECURITY WIRETAP RECORDS



Reference is made to the telephone call from Mr. James Wilderotter, Associate Deputy Attorney General, to Inspector T. J. Smith of my staff on June 4, 1974, requesting an interview report form (FD 302) made following an interview of Special Agent in Charge C. D. Brennan in connection with the Watergate inquiry and to my memorandum to you dated June 4, 1974, captioned as above, enclosing other documents requested by Mr. Wilderotter.

In his telephone call, Mr. Wilderotter pointed out that Congressman Rodino had also requested this additional document relating to wiretap coverage instituted at the request of the White House. The requested document is enclosed.

As I have previously stated, I do not feel I have the authority to furnish documents of the type requested directly to Congressman Rodino and I am therefore forwarding this communication to you.

Documents pertaining to Morton H. Halperin are under a protective order issued by the United States District Court in connection with Halperin v. Kissinger. It is my funderstanding that a request has been made to the Court for a modification of the Court's order prohibiting disclosure of these documents.

Enclosure

1 - Deputy Attorney General

l - Associate Deputy Attorney General

JWD:rfk

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NOTE:

Mr. Wilderotter advised Inspector Smith that the Rodino Committee had requested copies of 65-75085-180, 230, 264, 309, 313, 329, copies of letters from the Director to the President dated 7/14/69, 11/7/69 and 12/31/69. Also requested was the enclosure only of a letter from the Director to the President dated 8/1/69. In addition, copies of letters dated 5/28/69 and 5/29/69 to Mr. Kissinger were requested. Copies of these items were enclosed by memorandum of 6/4/74. Mr. Wilderotter telephonically requested this additional document.

June 4, 1974

Director, FBI

am

RODINO COMMITTEE REQUEST FOR NATIONAL SECURITY WIRETAP RECORDS PECOV 82 RY7858586

Reference is made to the telephone call from Mr. James Wilderotter, Associate Deputy Attorney General, to Inspector T. J. Smith of my staff on June 4, 1974, and to my memorandum to you dated May 20, 1974, captioned as above.

In his telephone call, Mr. Wilderotter pointed out that Congressman Rodino had requested additional documents relating to wiretap coverage instituted at the request of the White House. The requested documents are enclosed.

As I stated in my May 20, 1974, memorandum, I do not feel I have the authority to furnish documents of the type requested directly to Congressman Rodino and I am Atherefore forwarding them to you. W 65-75085-401

Documents pertaining to Morton H. Halperin are under a protective order issued by the United States District Court in connection with Halperin v. Kissinger. It is my understanding that a request has been made to the Court for a modification of the Court's order prohibiting disclosure of

these documents.
ENCLOSURE 12

1 - Deputy Attorney General

1 - Associate Deputy Attorney General

JWD:rfk (6)

NOTE:

Mr. Wilderotter advised Inspector Smith that the Rodino Committee had requested copies of 65-75085-180, 230, 264, 309, 313, 329, copies of letters from the Director to the President dated 7/14/69, 11/7/69 and 12/31/69. Also requested was the enclosure only of a letter from the Director to the President dated 8/1/69. In addition, copies of letters dated 5/28/69 and 5/29/69 to Mr. Kissinger were requested. Copies of these items & are enclosed,

Secret Material attached

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iretap Data on Muskie's Plans Reported Sent to White House

By JOHN M. CREWDSON Special to The New York Times

WASHINGTON Merch 22 At least one of 17 wiretaps authorized by President Nixon for "national security" reasons provided the White House with political intelligence about the Democratic Presidential campaign of Senator Edmund S. Muskie according to sources who have seen written summarles of the overheard conversations.

The reports containing ref-erences to Mr. Muskie were reportedly prepared in late 1970 and early 1971 by Federal agents monitoring a wiretap on the home telephone of Morton H. Halperin, a former National Security Council, official who loined the Muskie campaign after leaving the Government In April, 1970.

The disclosures came as Mr. Halperin won from a Federal office judge today an order that it urn over to nin seconds of the wiretap, which ran from May, 1969, until Februar, 1971.

The order by Judge John Lewis Smith affirmed a request.

by attorneys for Mr. Halperin for sliminaries prepared by agents of the Federal Bureau of investigation who monitored the wiretap.

President Nixon has said he personally approved the 17 wiretaps as part of an effort to stop leaks of classified in

formation to the press.
The disclosure that politically useful information was being produced by the Halperin wiretap may help to explain why the former official was kept under surveillance longer than any of the others who were targets of the operation and despite the lack of any evidence

The White House did not re-spond today to a request for comment on the report regarding information on Senator

Mr. Halperin, a Republican, served as an unsalaried adviser on foreign affairs to the Senator from Maine after leaving the Government

According to confidential documents prepared by the Federal Bureau of investigation. the wiretap; program lasted from May, 1969, until rebru-ary, 1971; and involved at vari-ous times 13 officials of the Mixon Administration and four newsmen, including two report ers for The New York Times.

Political Motive Alleged

Mr. Halpern is suing several present and former Administration officials, including Secretary of State Kissinger and the former White House chief of staff, H. R. Halde-man, on the ground that the wiretap on his home phone, which was not authorized by a court order, was illegal, and was intended primarily to monitor his political activities. He is the only one of the 17 to have sought the wiretap summitted. maries.

Judge Smith gave the Government 10 days to surrende the wiretap material. Justice Department lawyers who op-posed the motion granted by the court, have indicated that they will now argue that some of the requested documents may be subject to a formal claim of executive privilege a doctrine that protects the confidentiality of communications within the executive branch if disclosure would impair the orderly functioning of government.

Protesta By Rissinger

To claim this privilege. torney General William Be Saxbe would have to act be fore the 10 days were up. In general a judge a order for the discovery of evidence, such as judge Smith's todays is not appealable.

Mr. Halperin was one of the

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The New York Times	_
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first Government officials to be tapped after a report appeared in The New York Times on May 9. 1969, about the then highly secret bombing of Camvodia by American aircraft. That article and others out lining the United States position t the talks with the Soviet Union on limiting strategic arm avents; * reportedly * evoked strong protests from Mr. Kissinger, then Mr. Nixon's nalional security, adviser. As Ja result of his protest, the President appointed Mr. Kissinger, the late I Edgar Hoover director of the F. B. L. and John N. Mitchell then the Attorney General to coordinate an investigation of the leaks to the press Mr. Nixon also approved the wiretapping of those officials suspected by Mr. Kissinger as the sources of the leaks. The wiretaps were installed without the court order taht is required by law in ordinary criminal cases. The installation was made under an inherent pow-er claimed by Mr. Nixon to prevent the nation's security from being compromised. Neither Congress nor the Supreme Court has ever recognized an "interest power" to wiretap for this purpose,

Target of Espionage

Justice Department sources have said that information entirely unrelated to national sec urity flowed into the White House from some of the 17 wiretaps But the information relating to Mr. Muskie was the first indication that some de tails of his campaign planning were in the hands of high White House operatives long before the Presidential primaries in which the Senator was a target of political espionage and sabotage: The F.B.I. documents show that the summaries of the wire tapped conversations were in itially sent to Mr. Kissinger But in June, 1970, about midway, through the 21 month, top secret program, the summaries were divered to Mr. Haldeman. Accordingly, it would have been Mr. Haldeman who received the reports of Mr. Halperin's conversations about Senator Mus

cie's political plans. Mr. Haldeman was Indicted y a Federal grand jury two weeks ago, along with six other men, for conspiring to ob struct the criminal investigation into the June, 1972, Wa tergate burglary That break in was linked to a wiretapping plot that illegally provided political intelligence from the héadquarters of the Democratic National Committee Some of the reports on Mr. Halperin received by Mr. Haldeman, sources who have seen them said contained references to Mr. Muskie's activities in behalf of his bid for the Demo cratic Presidential nomination at a time when he was widely considered the front running candidate against Mr. Nixon Mr. Halperin said in a tele phone interview that he could not remember whether he ever spoke with Senator Muskie himself over his home telephone during the months in question He said however, that he did have discussion about campaign strategy with some of the Senator's top aides and advisers over his home telephone before the wiretap was removed in February, 1971. Foreign Policy Speeches

Neither the sources nor the F.B.I. documents made clear to what use, if any, the White House may have put the information on the Muskie campaign that was supplied by the wire tap. According to Mr. Halpering the reports of his conversations might have included advance knowledge of the Senator's speeches in the foreign policy area and particularly on the Vietnam war.

Haig Sought Taps,

EXERIAIde Says

By Jeremiah O'Leary

The original formal request for the controversial wiretaps on 17 government officials and newsmen was made on May 10 1969 in a personal visit by Alexander Haig to the office of Asst. FBI Director William C. Sullivan, the retired investigative official told The Star-News today.

Sullivan said Haig never mentioned Henry A Kissinger, who was a national security adviser at the time, or, any other official as the initiator of the request for the wiretaps and characterized it as a White House request

House request Sullivan's i recollection that the tans were initiated by the FBI on the basis of a personal visit from Haig sheds some light on an ambiguous FBI memorandum of May 12, 1969, and a 15-page summary of the inquiry that became public yesterday. The memo to Asst. FBI Director Leonard M. Walter states in part?

quests were from either Dr. Henry Kissinger of Gen. Alexander Halg (then Col. Haig) for wiretap coverage on knowledgeable NSC (National Security Council) personnel and certain newsmen who had particular news interest in the SALT talks. The specific requests on this coverage were made to either former. Director J. Edgar Hoover or former. Assistant to the Director William C. Sullivan (and on one occasion by Gen. Haig to Special Agent Robert Haynes, FBI White House liaison). Written authorization from the attorney general of the United States was secured on each wife.

Meanwhile the Associated Press today quoted sources familiar with the surveillance program as saying that reports on the wiretaps went directly to Kissinger and President Nixon.

The sources said that FBI digests of the material overheard on the taps were hand carried to the White House and delivered to Nixon and Kissinger, according to the AP

Asked if Kissinger had called Hoover, the late FBI Director as has been alleged the day before the Haig visit. Sullivan replied. There were many things Mr. Hoover never told me and he never told me of any such call. When Haig came to see me he didn't seem to know about any call to the bureau the previous day."

However, a memorandum prepared for Hoover's file and dated the day before Haig's visit to Sumvan (May 9) lopens with a specific mention of such a call from Kissinger to Hoover, according to the Washington Post

ington Post.

Dr. Henry Kissinger, national security adviser to the President called from Key Biscayne, Fla. the memo is quoted as stating.

In the memo, Kissinger, is reported to have warned that talstory in the New York Times that day is extraordinarily damaging and contains secret information."

The story referred to as previously disclosed, was an article by William Beecher that U.S. B52s for the first time were striking at North Vietnamese and Viet Cong forces inside Cambodia and that Cambodia was not protecting the raids. The May 9 memodules Hooyer as follows.

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wondered whether I could make a major effort to find out where that came from I said I would."

Later that day, according to the Post, Hoover phoned Kissinger, again, speculating that the information may have been leaked to Beecher by Morton Halper in, then a member of the National Security Council

On the following day Hair went to see Sullivan Sullivan Said Haig told him there had been serious breaches of national security and furnished some of the names on which the FBI instituted wiretaps

The former FBI intelligence specialist said he doubted that Hoover would ever have taken an order or segment from Kissinger.

"Hoover would have wanted something from the President himself or something in writing," Sullivan sald.

Kissinger, who has threatened to resign as secretary of State because of persistent questions about his role in the wire-taps, has maintained that he did not directly request the 17 taps. Kissinger acknowledges he was present at a White House meeting in the spring of 1969 at which President Nixon ordered the wiretaps but has said his contributions was to describe the leaks and furnish the names of those who had access to leaked information.

FBI AGENTS interviewed Sullivan last summer about the inquiry according to the FBI summary, but Sullivan at that time would not identify who at the White House had made the wiretap requests. Haig himself interviewed by agents in the inquiry also declined to say who had ordered the wiretaps. He described the decision as being the result of joint input.

At least some of the 17 taps, it is reported, were initiated within the FBI and the Justice Department. The taps were installed for

periods varying from one month to learly two years. Sullivan's recollection does not clear Kissinger, since Haig was Kissinger's deputy in 1969 and could either have been relaying the request to the FBI for Kissinger or doing so with Kissinger's knowledge or approval.

The matter now appears to require further clarification from Haig on precisely what took place at the White House that resulted in his going to the FBI for a face-to-face meeting with Sullivan Haig is in Egypt with the President's party

Many of the FBI records of the requests for wiretaps, the attorney general's written authorization for them and summaries of the results are not available and their whereabouts are not precisely known. Sullivan it has been disclosed keptall these documents in his own office rather than FBI general files and when he retired from the FBI sent them to Robert G Mardian them assistant attorney general in charge of internal security.

MARDIAN; in turn, sent the documents to the White House and they were found in the files of Presidential Asst. John D. Ehrlichman when the FBI began its in quiry last summer. These documents were returned to the Jutice! Department at that time but it has never been disclosed whether any of them are missing.

In turn the documents were furnished to Special Prosecutor Leon Jaworski and to the House Judiciary Committee in connection with the Watergate-impeachment investigations but were denied to the Senate Foreign Relations Committee

The Justice Department has said that it is withholding the material because of a civil suit filed by one of the individuals wiretapped, former National Security Council staff member Morton P. Halperin.

(Two other former members of the NSC staff filed smt_yesterday against Nixma Klasinger and the telephone company, saying their phones were unconstitutionally tapped.

(The U.S. district court suits were filed by Richard M. Moose the council's staff secretary from Jan 20 to Sept 20 1969, and William A.K. Lake, special assistant to Kissinger and a special projects staff member from June 1, 1969, to June 14, 1970.

The documents were in spected late last year by Sens. John Spackman, D. Ala, and Clifford Case, R. N.J. with Kissinger in the presence of Atty Gen. Elliot Richardson, and then Deputy Atty. Gen. William Ruckelshaus. The committee now appears to feel that the clearance from innuen do and allegation sought by Kissinger will rest on the contents of those FBI documents.

Assuming that Justice will send the documents to the committee it is likely that the committee will hold at least one executive session to examine the relevant FBI files and probably call Kissinger again as a witness when he returns from the Middle East and Canada some time after June 20

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ROUTE IN ENVELOPE

The Attorney Ceneral

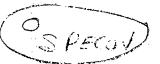
June 14, 1974

lirector, FM

1 - Mr. O.T. Jacobson l - Mr. W.R. Wannall

l - Mr. A.B. Fulton

IELTAPO OPURATUL FOR ma**y. 1969. And Pebruary. 1971**



In June 13, 1974, Br. James Wilderotter, Associate Deputy Attorney General, telephonically advised Inspector Thomas J. I mith of our intelligence Livision that a decision has been reached to turn over copies of all FDA documents previously furnished to the Rodino Committee concerning captioned wiretups to the Senate Foreign Relations Committee and to Mr. Carlyle E. Allew, Legal Advisor, U.S. State Department, for review by Dr. Henry Clesinger.

Mr. Vildorotter adviced that Mr. Maw is flying to meet Tr. Rissinger, who is currently traveling abroad with the President, and that the documents will be carried to Er. Kinsinger for review. With respect to inspector Emith's concern over the documents being taken out of the country, Mr. Wilderotter assured that Mr. May is traveling by Air Force place and will have ample protection. He also advised concerning the possibility of the documents being reproduced that Mr. Many is under court order not to reproduce the documents and that he will return them to the Justice Department after they have been reviewed by Lr. Missinger.

Purcuast to Mr. Wiklerotter's request of Inspector finith, there are enclosed herewith two copies of each of the documents previously fursished to you as attachments to three memoranda, one dated May 20, 1974, and two dated June 4, 1974, for dissemination to the Rodino Committee.

ENCLOSURE Copies of the two memoranda dictated by Mr. Horrs on May 9, 1969, and bearing time designations of 10:35 a.m. and 5:05 p.m. are not being included as they were furnished to lun 20 1974 Mr. Wilderotter by inspector Endth on May 13, 1974, along with three other memoranda also distated by Mr. Moover on May 7. 1969.

RHH:clb

SEE NOTE PAGE TWO

TELETYPE UNIT [

Ext. Affairs

Since the leaks to news media of these very sensitive documents have already had a deteriorating effect on the public's faith and trust in the confidentiality of FBI information and records, I sincerely hope that adequate safeguards are being implemented to prevent further such leaks based on this proliferation of dissemination of sensitive material.

Enclosures _ 165 1 - The Deputy Attorney General NOTE:

Enclosures hereto are identified in serials 65-75085-401, 400, and 398, which are letters to the Attorney General dated June 4, 1974, and May 20, 1974, copies of which are attached.

1 - Mr. W. R. Wannall

20 May 20, 1974

The Attorney General

Director, FBI

RODINO COMMITTEE REQUEST FOR NATIONAL SECURITY WIRETAP RECORDS

Enclosed is a copy of a letter dated May 14, 1974, which I have received from Congressman Peter W. Rodino, Jr., wherein he requests on behalf of the Committee on the Judiciary of the House of Representatives specific documents relating to wiretap coverage instituted at the request of the White House, along with a copy of my response to Congressman Rodino.

Since I do not feel that I have the authority to comply with his request, I have enclosed copies of each of the documents which he requested for your review and response to Congressman Rodino.

It is noted that certain documents pertaining to Morton H. Halperin are under a protective order issued by the United States District Court in connection with Halperin v. Kissinger and that Congressman Rodino states that a request has been made to the Court for a modification of the Court's Order prohibiting disclosure of these documents.

Mr. James Wilderotter, Associate Deputy Attorney General, has previously been advised of this request.

Enclosures - 154

1 - The Deputy Attorney General

1 - The Deputy Associate Attorney General

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ALL INFORMATION CONTACTED
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DATE 5/5/82 BY 7858 Sefcle

ENCLOSURE 65-75085-402



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 09-22-2011 BY 60322 UC/LP/PLJ/JCF

INSTRUCTIONS: This form is to be removed from file by a Filing Unit employee only upon the return of the item. Subje **b**6 b7C Type of Mail Date of Mail Report. Incoming letter Outgoing letter Director, FBZ to AG 6/14/74 (San 402) Memorandum Airtel Teletype Enclosure (describe) Laboratory Work Sheet Personnel Security Questionnaire (PSQ) ___ Loyalty Form Other (describe) Removed_for Removed by Date of Removal b6 Mr. b7C Mrs. 11/26/80 Miss J Room For copying (If for another agency, list agency and date of request.) To send to To attach to For office use For change to another file __ Sother (Specify) for purpose l destruction Complete File and Serial Number 65-75085-402 pgs 1+2

UNITED STATES GOVERNMENT

Memorandum

: MR. CALLAHAN

6 - 11 - 74DATE:

E. S. MILLER

SUBJECT: SECRETARY OF STATE HENRYKISSINGER

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Mr. Wilderotter, Deputy Attorney General's Office, called me this afternoon to advise that State Department Legal Advisor, | Carlisle Mau had talked with the Deputy Attorney General about Mr. Kissinger's statement to the press in Austria today and further that Mr. Mau wanted to review the FBI files on the 17 wiretaps. Wilderotter was calling to make these arrangements at the request of the Deputy Attorney General.

SPECOL

I told Mr. Wilderotter that the FBI was not going to accede to this request without giving it substantially more study in view of the fact that this was one of the main areas of concentration of the House Judiciary Committee studying the question of impeachment of the President, that the Senate Foreign Relations Committee ostensibly had fully explored this matter in its confirmation hearings on Mr. Kissinger's appointment as Secretary of State and, in addition, the Special Prosecutor had a special investigation that it was conducting into the whole area of the 17 wiretaps.

I told him that it appeared to me to be a very intricate decision that he was discussing in view of the fact that Mr. Mau obviously was requesting a review of the FBI files for the unilateral purpose of developing ammunition for the Secretary of State and that this action would fly in the face of all of the other actions which of course are currently taking place.

I told him that this matter appeared to be one which would have to be given considerable thought not only by the FBI, but also by the Department of Justice, before a final decision could be made as to which forum was going to make a decision as to Mr. Kissinger's culpability, or non-culpability, in the RECIENT 17 wiretaps issue.

Wilderotter told me that he understood in addition to his Austrian press conference, Mr. Kissinger had also written a letter to the Senate Foreign Relations Committee, although Wilderotter did not know the contents of the letter.

ESM:pmdp

1 - Mr. Wannall

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Memorandum to Mr. Callahan from E. S. Miller Re: Secretary of State, Henry Kissinger

Wilderotter agreed with my observations and said that he would discuss the matter with the Deputy Attorney General, who would thereafter discuss it with Mr. Saxbe.

I did not mention to Wilderotter during the phone conversation, however, there is a further complication in this matter and that is that USDC Judge Smith, who is handling the Halperin civil suite against the Government, has issued a "gag order" on the 17 wiretaps material and that Rodino's committee was currently struggling with this situation itself.

Wilderotter said he would get back to us regarding this issue.

ACTION:

For information.

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UP 106 4

(REVIEW)

WASHINGTON (UPI) -- THE SENATE FOREIGN RELATIONS COMMITTEE VOTED UN ANIMOUSLY TODAY TO REVIEW SECRETARY OF STATE HENRY KISSINGER'S ROLE IN NATIONAL SECURITY WIRETAPS. SEN. EDMUND MUSKIE, D-MAINE, SAID.

IN NATIONAL SECURITY WIRETAPS, SEN. EDMUND MUSKIE, D-MAINE, SAID.

KISSINGER, WHO THREATENED TO RESIGN OVER "LEAKS AND INNUENDOES"
REGARDING HIS INVOLVEMENT IN THE TAPS ON TELEPHONES OF SOME AIDES AND OTHERS WHILE HE WAS AT THE WHITE HOUSE, WROTE THE COMMITTEE EXPRESSING WILLINGNESS TO APPEAR FOR MORE QUESTIONS AND MUSKIE SAID THE GROUP VOTED TO LOOK INTO THE MATTER AGAN.

KISSINGER TESTIFIED ABOUT THE WIRETAPS, AIMED AT PLUGGING NATIONAL SECURITY NEWS LEAKS, DURING HEARINGS LAST SUMMER ON HIS NOMINATION AS SECRETARY OF STATE AFTER HE HAD SERVED AS PRESIDENT NIXON'S NATIONAL

SECURITY ADVISER, A POST HE STILL HOLDS.

KISSINGER'S RESIGNATION THREAT WAS GREETED BY DISMAY BY SOME
DEMOCRATS AS WELL AS REPUBLICANS AND SENATE DEMOCRATIC LEADER MIKE
MANSFIELD SAID WHEN KISSINGER RAISED THE POSSSBILITY WITH HIM LAST
WEEKEND, "I SAID THE COUNTRY NEEDED HIM."

SEN. ALAN CRANSTON, D-CALIF., SAPD, "I THINK IT'S INCREDIBLY SAD THAT WATERGATE IS NOW THREATENING TO BRING DOWN EVEN HENRY KISSINGER...THE ONE MAN IN THE MIXON ADMINISTRATION WHO HAS ACHIEVED SO MUCH IN TERMS OF PEACE."

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ADD 1 REVIEW, WASHINGTON (UPI-064)

MUSKIE, CHAIRMAN OF THE FOREIGN RELATIONS SURVEILLANCE
SUBCOMMITTEE WHICH HAS INVESTIGATED THE WIRETAP CONTROVERSY, SAID IT
IS "VITAL THAT THIS MATTER BE CLEARED UP AS SOON AS POSSIBLE."

MUSKIE SAID ONE OF THE PROBLEMS OF THE COMMITTEE WAS "JUSTICE DEPARTMENT REFUSAL TO SUPPLY DOCUMENTS AND INFORMATION" RELATIVE TO

THE WIRETAPS.

VICE PRESIDENT FORD ASSUED A STATEMENT SAYING, "I FIRMLY BELIEVE IN THE INTEGRITY OF HENRY KISSINGER. HIS RESIGNATION AT THIS HOUR

WOULD BE CATASTROPHIC TO THE CAUSE OF PEACE.

FORD ADDED. "THE TIME HAS COME WHEN THE WRECKING OF REPUTATIONS BY INNUENDO AND LEAKS OF UNSUPPORTED CHARGES FROM FACELESS ACCUSERS MUST STOP. WHOEVER IS ATTACKING THE HONESTY AND DEDICATION OF THE SECRETARY OF STATE IS UNDERCUTTING HIS PEACEMAKING ACHIEVEMENTS ON BEHALF OF THE UNITED STATES."

SEN. CHARLES PERCY, R-ILL., SAID "THE EXTRAORDINARY PERFORMANCE OF SECRETARY KISSINGER IN MOVING THIS NATION AND THE WORLD TOWARD PEACE REQUIRES THAT THESE QUESTIONS BE RESOLVED FAIRLY AND PROMPTLY."

SEN. GEORGE MCGOVERN, D-S.D., ALSO A COMMITTEE MEMBER, SAID, "THERE HAVE BEEN SO MANY SCANDALS IN THIS ADMINISTRATION THAT NO ONE WELCOMES ANY MORE.

"BUT IT DOES SEEM THAT EVEN MR. KISSINGER NOW HAS SOME SERIOUS QUESTIONS TO ANSWER. THE SENATE HAS NO ALTERNATIVE OTHER THAN TO CALL KISSINGER BACK FOR AN EXPLANATION FOR WHAT APPEARS TO BE A DISCREPANCY IN STATEMENTS AT THE TIME HE WAS CONFIRMED AS SECRETARY OF STATE."

SEN. LOWELL WEICKER, R-CONN., ONE OF SEVEN SENATORS WHO VOTED AGAINST KISSINGER'S CONFIRMATION, SAID, "THE PRESUMPTION OF INNOCENCE APPLIES...TO DR. KISSINGER. IT IS ALSO TRUE THAT WE ARE NOT GOING TO SUSPEND THE CONSTITUTION FOR AN AMERICAN REGARDLESS OF THE ENDS ESPOUSED."

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UPI071

ADD 2 REVIEW, WASHINGTON

SEN. HUBERT HUMPHREY, DEMINN., A FOREIGN RELATIONS MEMBER, SAID,

"WE OBVIOUSLY DO NOT WANT DR. KISSINGER TO RESIGN. I WANT TO SAY TO

HIM AS A FRIEND! STAY WITH IT -- COOL IT!"

ASSISTANT SENATE REPUBLICAN LEADER ROBERT GRIFFIN, ALSO A

COMMITTEE MEMBER, SAID KISSINGER'S RESIGNATION "WOULD HAVE A VERY

UN FAVORABLE EFFECT ON THE NATION AND THE WORLD."

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WASHINGTON CAPITAL NEWS SERVICE

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ADD 3 REVIEW, WASHINGTON

CHAIRMAN J. WILLIAM FULBRIGHT, D-ARK., SAID LATER THE COMMITTEE

HAD AGREED TO REVIEW THIS MATTER IN COMPLIANCE WITH DR. KISSINGER'S

REQUEST. AND SAID HE DID NOT FEEL KISSINGER SHOULD RESIGN. THINK

IT WOULD HAVE A BAD EFFECT. I WOULD HATE TO SEE HIM RESIGN OVER A MATTER LIKE THIS. UPI 06-11 01:04 PED

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UPI024

ADD KISSINGER, SALZBURG
MEMBERS OF THE JUDICIARY COMMITTEE SAID AFTER A CLOSED SESSION
LAST THURSDAY THAT STAFF INVESTIGATORS USING FBI SUMMARIES ON THE
WIRETAP LOGS, REPORTED THAT KISSINGER AND HIS THEN DEPUTY, ALEXANDER
HAIG, HAD INITIATED SOME TAPS IN 1969-1971.

KISSINGER SAID AT A NEWS CONFERENCE THURSDAY HE DID NOT MAKE A "DI RECT RECOMMENDATION" FOR THE TAPS, A QUALIFICATION OF AN EARLIER

DENIAL THAT HE HAD MADE NO RECOMMENDATION.

NEWSMEN WERE SUMMONED HASTILY TO TODAY'S NEWS CONFERENCE AT THE KAVALIERHAUS, AN 18TH CENTURY INN JUST OUTISDE THE KLESHEIM WALLS. THE MEETING CAME LESS THAN 20 HOURS BEFORE HE AND NIXON WERE SCHEDULED TO LEAVE FOR CAIRO, THE FIRST STOP ON AN EIGHT-DAY SWING THROUGH THE MIDDLE EAST.

AFTER DESCRIBING WHAT HE CALLED "A CAMPAIGN OF INNUENDOS WHICH NOW

I MP LY THAT NEW EVIDENCE HAS COME TO LIGHT", KISSINGER SAID:

IN THIS CIRCUMSTANCE IT IS NOT APPROPRIATE FOR ME TO GO WITH THE PRESIDENT TO THE MIDDLE EAST WITHOUT A FULL DISCUSSION OF THE

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UP 1032

ADD KISSINGER, SALZBURG

AT PRESENT TO PROCEED WITH THE JOURNEY.

THE TAPS WERE DIRECTED AGAINST AT LEAST 17 NATIONAL SECURITY COUNCIL AIDES AFTER A SERIES OF NEWS LEAKS THAT DISCLOSED, AMONG O THER THINGS, SECRET U.S. BOMBING OF CAMBODIA AND THE U.S. NEGOTIATING POSITION AT THE STRATEGIC ARMS LIMITATION TALKS WITH THE SOVIET UNION.

REPORTERS WERE INFORMED OF THE NEWS CONFERENCE WHEN WHITE HOUSE PRESS SECRETARY RONALD ZIEGLER, COMPLETING A ROUTINE BRIEFING, TOLD THEM TO STAY AROUND BECAUSE "KISSINGER HAS SOMETHING HE WANTS TO GET OFF HIS CHEST."

KISSINGER LOOKED STERN AS HE WALKED INTO THE ROOM AND HIS HOARSE VOICE LACKED THE HUMOR THAT HE HAS OFTEN SHOWED IN SUCH SITUATIONS. KISSINGER HELD A NEWS CONFERENCE THURSDAY AT THE STATE DEPARTMENT IN WASHINGTON, HIS FIRST MEETING WITH NEWSMEN SINCE HIS RETURN FROM SUCCESSFULLY NEGOTIATING THE ISREALI-SYRIAN CEASE-FIRE, AND

APPARENTLY EXPECTED FRIENDLY QUESTIONING ABOUT HIS NEW PEACE MISSION.

INSTEAD, HE ENCOUNTERED STRONG QUESTIONING ABOUT HIS ROLE IN THE
WIRETAPPING CASE, WHICH THE JUDICIARY COMMITTEE IS CONSIDERING AS
PART OF ITS IMPEACHMENT INQUIRY. KISSINGER BRISTLED AT SOME OF THE
QUESTIONS, REMINDING ONE QUESTIONER THAT HE WAS CONDUCTING A NEWS
CONFERENCE AND THAT THE OCCASION WAS NOT A CROSS-EXAMINATION.

HE CONCEDED HE PROVIDED A LIST OF PERSONS WHO HAD ACCESS TO CLASSIFIED INFORMATION BUT DENIED HE RECOMMENDED ANY SPECIFIC PERSONS' TELEPHONES BE TAPPED AS PART OF A PLUMBERS' EFFORT TO TRACK DOWN THE SOURCES OF NEWS LEAKS.

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UP 1036

ADD KISSINGER, SALZBURG
THE IMPLICATION THAT MY OFFICE WAS SPENDING TIME READING SALACIOUS REPORTS ABOUT MY SUBORDINATES ... IS SYMPTOMATIC OF THE POISONOUS CLIMATE OF OUR TIMES, " KISSINGER SAID.

HE MADE IT CLEAR HE HAS BEEN ANGRY SINCE THURSDAY WHEN HE WAS AS KED IF HE HAD RETAINED COUNSEL FOR POSSIBLE "PERJURY".

OF HIS MIDEAST EFFORT, HE TOLD REPORTERS TODAY, "I WOULD LIKE TO THINK THAT WHEN THE RECORD IS WRITTEN THAT PERHAPS SOME LIVES WERE SAVED AND MOTHERS ARE AT REST. I LEAVE THAT TO HISTORY.

"BUT I WILL NOT LEAVE TO HISTORY MY PUBLIC HONOR," HE ADDED. AS FOR HIS CONCERN FOR NATIONAL SECURITY LEAKS, KISSINGER SAID, DO NOT APOLOGIZE FOR IT. IT IS NOT A SHADY AFFAIR. . IT FOLLOWS LEGAL PROCEDURES. IT IS PERFECTLY TRUE I WAS PROFOUNDLY DISTURBED BY THE PUBLICATION OF THE PENTAGON PAPERS AND THE LEAKING OF 10,000 CLASSI FIED DOCUMENTS

HE SAID HE WOULD NOT HAVE BEEN DOING HIS DUTY HAD HE NOT BEEN WORRIED.

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UPI037

ADD KISSINGER, SALZBURG
"I RECOGNIZE THAT NATIONAL SECURITY HAS BEEN ABUSED IN THE LAST FEW YEARS", KISSINGER SAID. "BUT JUST BECAUSE OF THESE ABUSES DOES NOT MEAN THAT THERE SHOULD NOT BE CONCERN..."

HE SAID HE DID NOT KNOW THAT THE CREATION OF THE PLUMBERS WOULD LEAD TO THE WATERGATE-RELATED "BURGLARIES".

"IT SEEMS TO ME THAT OUR NATIONAL DEBATE HAS REACHED THE POINT WHERE DOCUMENTS CAN BE SELECTIVELY LEAKED WITHOUT BENEFIT OF ANY EXPLANATION BY UNNAMED SOUCES WHO CAN ATTACK THE CREDIBILITY AND

HONOR OF PUBLIC OFFICALS, " KISSINGER SAID.

I MMEDIATELY AFTER THE NEWS CONFERENCE, KISSINGER DROVE ACROSS THE WEST GERMAN BORDER TO BAD REICHENHALL FOR A MEETING WITH WEST GERMAN FOR EIGN MINISTER HANS DIETRICH GENSCHER. DESPITE THE RAIN AND HIS EARLIER ANGER, KISSINGER WAS SMILING WHEN HE ARRIVED.

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UPIO40

ADD KISSINGER, SALZBURG
IN A LETTER MADE PUBLIC TODAY BY THE WHITE HOUSE, KISSINGER ASKED
THE SENATE FOREIGN RELATIONS COMMITTEE TO REVIEW HIS TESTIMONY ON
WIRETAPS AND SAID HE WOULD BE WILLING TO REAPPEAR BEFORE THE
COMMITTEE AT ANY TIME, HE SAID, HOWEVER, HE HAD NO REASON TO CHANGE

"IF THE COMMITTEE DECIDES ON A REVIEW, I WOULD NOT OBJECT SHOULD IT WISH TO EXAMINE RELEVANT SECURITY FILES AND REPORTS ON WIRETAPS SENT TO MY OFFICE, " KISSINGER SAID.

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UP IO 43

ADD KISSINGER, SALZBURG IN WASHINGTON, SENATE DEMOCRATIC LEADER MIKE MANSFIELD REVEALED KISSINGER HAD TOLD HIM LAST WEEK HE WAS "SERIOUSLY CONSIDERING"

RESIGNING BECAUSE OF THE WIRETAPPING DISPUTE.

MANSFIELD TOLD REPORTERS THE TWO MET LAST SATURDAY AND KISSINGER SAID HE MIGHT STEP DOWN. THEY MET AGAIN SUNDAY AND AT THAT MEETING KISSINGER SAID HE WAS GIVING CONSIDERATION TO NOT ACCOMPANYING NIXON ON THE MIDEAST TRIP.

MANSFIELD SAID AT SATURDAY'S BREAKFAST MEETING THAT KISSINGER "WAS SERIOUSLY CONSIDERING AT THAT TIME OF RESIGNING BECAUSE HE COULD NOT CARRY ON HIS FOREIGN POLICY RESPONSIBILITIES ... BECAUSE THIS THING WAS HANGING AROUND ALL THE TIME."

AT SUNDAY'S MEETING, MANSFIELD SAID KISSINGER TOLD HIM HE WAS SERIOUSLY CONSIDERING WITHDRAWING FROM THE MIDDLE EAST TRIP BECAUSE

OF THE SAME THING." MANSFIELD SAID KISSINGER FEARED "HIS EFFECTIVENESS IN CARRYING OUT

THE FOREIGN POLICY OF THIS COUNTRY MIGHT BE MITIGATED.

"I URGED HIM NOT TO RESIGN," THE SENATE DEMOCRATIC LEADER SAID. "I SAID THE COUNTRY NEEDED HIM.

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UPI048

ADD KISSINGER, SALZBURG
NIXON IMMEDIATELY BACKED HIS SECRETARY OF STATE IN A BRIEF
STATEMENT SAYING HE UNDERSTOOD KISSINGER'S DESIRE TO CLEAR HIS NAME
AND ADDED, "THE SECRETARY'S HONOR NEEDS NO DEFENSE."

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UPI082

ADD KISSINGER, SALZBURG
AT THE CONFERENCE A REPORTER ASKED, "MR. SECRETARY COULD YOU TELL
US WHO HAS PHYSICAL CUSTODY OF SOME OF THE DOCUMENTS THAT ARE BEING LEAKED?"

KISSINGER REPLIED, "I BELIEVE THE HOUSE JUDICIARY COMMITTEE HAS CUSTODY OF SOME OF THE DOCUMENTS THAT ARE BEING LEAKED."

QUESTION: "THE SENATE FOREIGN RELATIONS COMMITTEE?" ANSWER: "I DON'T BELIEVE THEY HAVE THEM ... UPI 06-11 01:52 PED

OFFICIAL FORM NO. zi**Ý** UNITED STATES GOVERNMENT 1 - Mr. Callahan Memorandum1 - Mr. Miller 1 - Mr. Jacobson 6/13/74 Mr. W. R. Wannall DATE: TO 1 - Mr. Mintz l - Mr. Wannall SPECOV T. J. Smith 1 - Mr. T. Smith LEAK OF INFORMATION REGARDING 17 WIRETAPS OPERATED FOR WHITE HOUSE MAY, 1969 - FEBRUARY, 1971 SYNOPSIS: The New York Times and The Washington Post on 6/12/74, published copies and excerpts from FBI documents given to the Rodino Committee by the Department. Documents relate to the 17 wiretaps installed for the White House 5/69 - 2/71. Deputy Attorney General (DAG) Laurence Silberman called a meeting to discuss the matter and to resolve the question of whether Henry Kissinger should be allowed to review FBI documents concerning the wiretaps. At the meeting, Lam Silberman acknowledged that the leak of FBI documents came from the Rodino Committee, although he questioned that The New York Times DC leak came from the Rodino Committee. There was considerable discussion concerning whether the wiretaps were initiated by Kissinger or J. Edgar Hoover. There was also considerable discussion concerning unilaterally allowing Kissinger access to FBI documents without clearance from the Special Prosecutor, U.S. District Court, Foreign Relations Committee, and Rodino Committee. Silberman eventually conceded clearance should be sought. On 6/13/74, James Wilderotter advised that copies of all documents which had been given to the Rodino Committee are to be given to the Foreign Relations Committee and to Carlyle Maw at State Department for review by Kissinger. He requested copies of the documents for that purpose. Herry SFIROTERY OF STATE DC FOREGEN **ACTION:** 65-75085-404 Documents requested by Wilderotter are being copied and will be sent under a cover letter to the Attorney General. 18 JUN 26 1974 ROUTE IN ENVELOPE TJS:clb **(7)** JUN 26.1974 IM DATE 5/5/82

DETAILS:

Following published leaks of documents in The New York
Times and The Washington Post 6/12/74, concerning the 17 wiretaps
installed for the White House between 5/69 and 2/71, a meeting was
called by Deputy Attorney General (DAG) Laurence Silberman 6/12/74.

Present in addition to Silberman were the Director, Mr. Callahan,
Mr. E. S. Miller, and myself from the Bureau and Mr. Jim Wilderotter, b6
Associate Deputy AG, and of Silberman's office (White b7C)
House Fellow).

At the outset, Silberman acknowledged that the leak of information had come from the House Judiciary Committee. He said that <u>John Doar</u> had confidentially advised him that this was the fact, although the identity of the person leaking the documents is not known. Silberman questioned that the document printed in <u>The New York Times</u> (Jacobson to Walters memo dated 5/12/73) came from the House Judiciary Committee.

He said that the article was by John Crewdson, whose beat is the Justice Department not the Congressional Hill area. He also questioned why the published document did not have certain pencilled notations contained on the Xerox copy in possession of the Department. He wanted to know how many copies of the document are floating around.

I explained to him that the published document is a copy of the original since it has the initials of Mr. Jacobson and Mr. Walters (signed by Jacobson) on it. I explained that I have personally accounted for all tickler copies made; that Xerox copies of the original were disseminated to the Special Prosecutor's Office, U.S. District Court (Halperin suit); the Civil Litigation Unit of the Department (Halperin suit), and to the Attorney General for the Rodino Committee. I said that I know of no other copies.

Silberman persisted on the point that the published copy has no pencilled notations. I explained that the newspaper probably blocked all such notations out before photographing the memo. Silberman argued, however, that the document published in The Washington Post had not been excised of markings, and that as a matter of fact the reproduced paper clip would positively establish that the document came from the Rodino Committee; that no effort had been made to block out any identifying features. I replied that there are two different newspapers involved and that they likely operate in a different manner. I pointed out that not only the pencil notations were missing but also the routing block, which is positive proof that The New York Times had done some excision by blocking out.

Silberman asked the Director if anyone from the FBI had ever leaked a memorandum to the news media for whatever purpose. The Director replied that this had happened. Silberman did not pursue the matter further. The Director correctly assured Silberman that we are confident that the 5/12/73, memorandum published in The New York Times was not leaked by anyone in the FBI. In this connection, Silberman, in my personal opinion, exhibited some degree of scepticism concerning our reasoning as to the excised condition of the 5/12/73, memo, and I feel he was implying that the leak of this document was perhaps from the FBI.

Silberman then said that the primary purpose of the meeting was to resolve the question of whether Carlyle Maw, Legal Counsel, State Department, and the Foreign Relations Committee should be granted access to FBI documents relating to the 17 wiretaps. He pointed out that Mr. Miller had strongly opposed either Maw or the Foreign Relations Committee having access to the documents, but that he (Silberman) thinks that Kissinger should have an opportunity to review material relating to current allegations concerning his participation in the 17 wiretaps affair.

Mr. Miller explained that our opposition is based on the position that no unilateral decision should be made by the FBI or the Department of Justice concerning the documents. He pointed out that

everytime we permit access, the information in the documents is leaked to the media, and that these leaks are beginning to affect the manner in which we can function. Mr. Callahan added that when the public sees that highly sensitive data in FBI files is being published in the newspaper there is an automatic reluctance to trust the FBI. He noted that these leaks have and will continue to have a deteriorating effect on the way every field office is able to get its job done, since the FBI is heavily dependent on full trust and support of the FBI by the public. Lack of trust in our ability to maintain the confidentiality of our records will lead to public refusal to cooperate with us.

Silberman persisted in the belief that Kissinger has the right to see what is in FBI records, and he implied that Kissinger's stand that he had not initiated the 17 wiretaps is probably correct. He said that Elliott Richardson and William D. Ruckelshaus had testified before the Senate Foreign Relations Committee and that Richardson had told him (Silberman) that he had shown the Foreign Relations Committee not only the 29-page summary of the 17 wiretap project, but also copies of the AG's authorizations of them. I disputed the possibility that Richardson had copies of the authorizations; however, he exhibited a memorandum from the Bureau to J. T. Smith dated 6/73, enclosing copies of the authorizations in question.

I pointed out that at least two of the authorizations state that Kissinger requested the wiretaps. Silberman responded that this may be true, but that these were memoranda of the FBI and references to Kissinger would be hearsay. I said that the memoranda were J. Edgar Hoover memoranda, and that they are evidence that Kissinger did request the wiretaps. I also pointed out that other FBI memoranda clearly indicate that Kissinger was initially involved in the matter and in fact had initiated the request for them.

OTHER

Mr. Miller elaborated on the points we had disputed, and he stated that in a discussion he had with Ruckelshaus in 9/73, he had told Ruckelshaus that we will not permit erroneous statements to be recorded on Kissinger's behalf at the expense of J. Edgar Hoover.

The Director pointed out that J. Edgar Hoover was morally opposed to use of wiretaps and that he believes Mr. Hoover would not have suggested or initiated a use of wiretaps.

Silberman's opinion was that Kissinger was naive and inexperienced in such matters and would not likely have known enough about investigatory procedures in leak cases to suggest use of a wiretap. He asked if the FBI had ever used a wiretap on a public official or newsman in the past, and I said that we had several years ago, prior to the Nixon Administration. Silberman grasped this to support his theory that Hoover would have responded to Kissinger's question of, "What can we do?" by drawing from past experience in solving leak cases and suggest that wiretaps might be useful. I replied that the wiretaps had not solved the previous cases, and that as the Director had observed, Hoover was morally opposed to wiretaps and would not likely have suggested their use. I acknowledged that W. C. Sullivan would probably have suggested using wiretaps, and that it was Sullivan who dealt with General Alexander Haig at the White House. Silberman said it is likely that we'll never know who actually suggested initially the use of wiretaps.

resolved concerning access by Kissinger to the FBI files on the wiretaps and that he doesn't see why access should be denied, particularly when the documents are being printed in the newspapers. Mr. Miller replied that we do not want to deprive Kissinger of information that would clarify his position, but that we feel no unilateral action should be taken in this regard. He pointed out that the Special Prosecutor's Office has a pending investigation on the 17 wiretaps; that the 17 wiretaps are high on the list of matters to be adjudicated by the Rodino Committee; that the U.S. District Court has a protective order on the records; and that the Foreign Relations Committee has a proprietory interest.

Mr. Miller suggested that no consideration be given to permitting access by Kissinger without advance written concurrence of the above-named agencies. He pointed out that is vital to establish a positive record that all proper steps were taken by the Department to safeguard the integrity of all interests involved in the matter.

Silberman said that insofar as the Special Prosecutor is concerned, Mr. Jaworski has returned all documents obtained from the FBI regarding the 17 wiretaps. He said this was pursuant to an agreement that if the Special Prosecutor's Office intends to handle a matter, the Special Prosecutor's Office will deal with the Rodino Committee. If not, Jaworski will return the documents he has, and the Department will deal with the Rodino Committee. He said he assumes Jaworski has returned all of the 17 wiretap documents and, therefore, has no further interest.

Mr. Miller voiced doubt that the Special Prosecutor's Office has abandoned the entire 17 wiretap matter. I told Silberman that I had been told they have a probably violation relating to at least one of the 17 wiretaps. I pointed out that the Special Prosecutor's Office may well be looking into possible perjury by Kissinger during his confirmation testimony. Silberman expressed doubt that Kissinger could have perjured himself, since he had not denied participation, but rather that he initiated the taps.

I responded that the Special Prosecutor's Office inquiry of perjury by L. Patrick Gray, III, concerns perhaps no more than a dozen words and that precise word construction could well be a factor in pursuing a perjury investigation by the Special Prosecutor's Office. Silberman expressed the belief that such perjury charges are extremely weak and in other times would never have been considered for prosecution, let alone get a conviction. Silberman agreed, however, that Jaworski should be consulted.

Silberman said that obviously consent should be gotten from the U.S. District Court to insure that the protective order is not violated. He questioned the necessity of getting concurrence of

the Foreign Relations Committee and the Rodino Committee; however, Mr. Miller pointed out that Kissinger will be reappearing before the Foreign Relations Committee, and specifically will be questioned concerning answers given during prior appearances concerning the 17 wiretaps. He said that the Committee could have grounds to criticize the Department if Kissinger is given free access to FBI documents without their knowledge, particularly when the same material has been withheld from that Committee.

Silberman accepted the wisdom of that observation and said that the Foreign Relations Committee should also be given access but that they should concur with the decision to allow Kissinger access. He said he still doesn't feel that the Rodino Committee has any jurisdiction in the matter of access and, therefore, he sees no need to discuss the matter with the Rodino Committee.

Mr. Miller said that in view of the fact that the 17 wiretaps are among the most significant items being considered in the impeachment proceedings, the wisest course of action is to also get concurrence of the Rodino Committee. Silberman conceded that perhaps it would be best to discuss the matter with the Rodino Committee. Mr. Miller suggested that approval should be obtained from each agency in writing so that the record speaks for itself in the future, that oral arrangements are never satisfactory in resolving future questions involving propriety of actions. He said that oral arrangements confirmed by the Department in writing would suffice, but there should be a clear record in writing of the transaction. Silberman agreed that this would be the best course of action.

On 6/13/74, Mr. James Wilderotter called me and said that clearance had been obtained to give copies of all of the documents given to the Rodino Committee to both the Foreign Relations Committee and to Carlyle Maw at State Department for review by Kissinger. He said that Maw is leaving for the Middle East this weekend and will be taking the documents to Kissinger there so he can

review them. I said that surely we were not going to allow Maw to take the documents out of the country, and Wilderotter replied that it is necessary since Kissinger is out of the country. He said that besides, Maw is traveling in an Air Force plane and will have ample protection. I asked what is to prevent Maw making more copies which will be leaked, and Wilderotter replied that Maw is under court order not to reproduce the documents.

Wilderotter asked that we give the Department two copies each of the same documents requested by the Rodino Committee, and these will be handled by the Department.

EM

OPHONAL FORM NO. 10 MAY 1 2 EDITION GSA GEN, REG. NO. 27 UNITED STATES GOVERNMENT Dop. AD Adm. .. MemorandumDee. AD Inv. 1 - Mr. Mintz 1 - Mr. Wannall Mr. W. R. Wannall 6/14/74 TO. DATE: Ju" FROM : Mr. T.J. Smith 1 - Mr. T. J. Smith COPPOUN TONE SEVEN ALL INFORMATION CONTAINED SUBJECT: 17 WIRETAPS OPERATED FOR THE HEREIN IS WASSIFIED EXCEPT WHITE HOUSE BY THE FBI BETWEEN MAY, 1969, AND FEBRUARY, 1977HERE SHOW ONLYWISE. ser 404 Re Smith to Wannall memorandum 6/13/74 captioned "Leak of Information Regarding 17 Wiretaps Operated for White House May 1969 - February, 1971." Rememo set forth proposal by Deputy Attorney General Laurence Silberman that FBI documents relating to 17 wiretaps be made available to Dr. Henry Kissinger and to the Senate Foreign Relations Committee for review because of the recent public furor resulting from allegations that Kissinger had not been candid with Foreign Relations Committee during time of his confirmation hearings in September, 1973. Standary of thate At a meeting on 6/12/74 we opposed permitting Kissinger to have access to the documents without the Department first clearing with the Special Prosecutor's Office, the U.S. District Court, the Foreign Relations Committee, and the Rodino Committee. course of the meeting on 6/12/74, I exhibited five memoranda written by J. Edgar Hoover on 5/9/69 concerning telephonic discussions Mr. Hoover had with Dr. Kissinger on that date relating to leaks of national security information. These memoranda were prepared at 10:35 a.m., 11:05 a.m., 11:35-a.m., 1:05 p.m., and 5:05 p.m. (copies attached hereto for information). Two of these memoranda, the one at 10:35 a.m. and the one at 5:05 p.m., were in possession of Department of Justice in connection with the Rodino Committee request. About 7:15 p.m., 6/13/74, Mr. James Wilderotter, Associate Deputy Attorney General, telephonically requested copies of all five documents since it was proposed that these documents be turned over to Dr. Kissinger and the Foreign Relations Committee for review along with all of the other documents which had previously been requested by the Rodino Committee (a previous request had been received from Wilderotter on 6/13/74 for two copies each of all Rodino documents for delivery to Qu 65.75085 Kissinger and the Foreign Relations Committee). 65-75085-405 ENCLOSURE 18 JUN 26 1974 TJS:mah (4) CONTINUED -- OVER-~UN 26 1974].m

Memorandum for Mr. Wannall

RE: 17 WIRETAPS OPERATED FOR THE

WHITE HOUSE BY THE FBI

BETWEEN MAY, 1969, AND FEBRUARY, 1971

On instructions of Mr. Miller and Mr. Callahan, you caused two copies each of the above described 5/9/69 memoranda to be delivered to Mr. Wilderotter on 6/13/74.

SM/

ACTION:

For record purposes.

- 21-

1 - Mr. J. A. Mintz

1 - Mr. N. P. Callahan

1 - Mr. O. T. Jacobson

1 - Mr. W. R. Wannall

The Attorney General

June 20, 1974

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Director, FBI

TONE SEVEN

17 WIRETAPS OPERATED FOR

THE WHITE HOUSE BY THE PBI

BETWEEN MAY, 1969, AND FEBRUARY, 1971

On June 14, 1974, the Deputy Attorney General advised Associate Director Nicholas P. Callahan that he had received information from Morton Halperin's attorney that he, the attorney, had noticed, in reviewing documents pertaining to the electronic surveillance on Halperin, that FBI logs indicated Halperin's telephone had been overheard on May 9, 10, and 11, 1969, whereas the Attorney General's approval for the electronic surveillance was dated May 12, 1969. The Deputy Attorney General requested clarification on this matter.

Interviews of present and past FBI employees who may

he knowledgeable concerning this matter have been conducted. Attached are interview forms on the following individuals: Mr. John P. Mohr, former Assistant to the Director; Miss Helen Gandy, former Executive Assistant to the Director; Mr. William C. Sullivan, former Assistant Director and Assistant to the

Director; Mr. Cartha <u>D. DeLoach. former</u> Assistant to the Director; Supervisor Washington Field Office,

FBI; Supervisor Washington Field Office. FBI; Mr. Ernest H. Belter, retired FBI Agent: Mrs.

Administrative Assistant to the Director; Miss Administrative Assistant to the Director; and Miss Administrative Assistant in the Office of the Director.

Our files contain a memorandum for the Attorney General dated May 12, 1969, captioned "Colonel Alexander M. Haig Technical Surveillance Request." This memorandum stated

Dop. AD Adm.

JJD/TJS:clb:rfk

ENCLOSURE Comp. Syste, Ext. Affairs Files & Com.

Dop. AD lov. p. Asst. Dir.

یب ، Telephone Rm

Haig came to the FBI on May 10, 1969, (Other information in our files indicates Haig talked to Mr. William C. Sullivan regarding the matter.) and stated a request was being made "on the highest authority" which involved a matter of most grave and serious consequence to our national security. The memorandum indicated Haig requested telephone surveillance be placed on Daniel Ira Davidson, Morton H. Halperin, Colonel Robert Pursley, and Helmut Sonnenfeldt. Approval for these electronic surveillances was obtained from Attorney General John Mitchell on May 12, 1969, and his signature and the date appear on page two of the memorandum.

We have no correspondence in our files showing any instructions to our Washington Field Office to place an electronic surveillance on Halperin on May 9, 1969, May 12, 1969, or any other date. As indicated in the attached interview of Mr. William C. Sullivan on June 15, 1974, he advised he had not instructed the Washington Field Office to institute an electronic surveillance on Halperin on May 9, 1969, either on his own authority or anyone else's. He was shown FBI logs showing an electronic surveillance on Halperin for the dates of May 9, 10, and 11, 1969. He stated he could furnish no information which would shed any light on how the coverage on Halperin could have been in effect for the above dates when the Attorney General's authority was not obtained until May 12, 1969. He stated his b6 normal procedure was to telephonically contact Supervisor b7C of our Washington Field Office and to instruct him to initiate coverage. He stated he assumed this procedure was followed when he was advised the Attorney General had approved the coverage on May 12, 1969. indicated that, although he probably had seen the logs on Halperin dated May 9, 10, and 11, 1969, he could not state on what date or dates he may have seen them. He acknowledged his handwriting appears on the May 10, 1969, log. He advised that in reviewing mail, he frequently read the contents thereof without paying particular attention to the dates.

As indicated in the attached interview of Supervisor of our Washington Field Office, he advised that, to the best of his recollection, he received a telephone call from William C. Sullivan who related he was calling because the Bureau wanted some special coverage conducted on

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b7C

the "highest authority." He stated Mr. Sullivan furnished him the names of several individuals on whom this coverage should be instituted, but cannot recall the identities of these individuals. is unable to recall the date or day of the week on which the call was received, but believes it was received sometime during the afternoon. He stated he presently has no written record regarding the above conversation with lir. Sullivan. He advised that Mr. Sullivan's instructions were relayed to Supervisor Ernest H. Belter of the Washington Field Office.

As indicated in the attached interview of Ernest H. Belter, now retired, Belter advised that, while he has no clear recollection as to the specific time or date, sometime probably in the Spring of 1969 he was instructed by Supervisor to effect electronic surveillances on Morton Halperin, a man named Sonnenfeldt, and a man named Davidson. He believes there was a fourth person named, but does not at this time recall the identity of the individual. He stated that, h6 while he is unable to specifically recall the date or time 'b70 he believes he received his instructions from Supervisor this initial request could well have been on a Friday, but reiterated he has no record to substantiate his belief. does know that, after receiving the instruction from Supervisor , he initiated the necessary action to effect a contact with the phone company. It is Mr. Belter's recollection that on the same afternoon positive information was received on the Halperin line.

Our records indicate that Mr. Hoover had dinner with President Richard Nixon and Attorney General John Mitchell on April 25, 1969, at Camp David, Maryland. Our records further indicate that Dr. Henry Kissinger met with Mr. Hoover at FBI Headquarters on the afternoon of May 5, 1969. As indicated in the attached interview of Mr. William C. Sullivan on June 18, 1974, he recalls being shown a memorandum by Mr. Hoover pertaining to a Camp David meeting, date unrecalled by Mr. Sullivan. According to Mr. Sullivan, the memorandum indicated that at the Camp David meeting President Nixon was disturbed about White House leaks of information and indicated something had to be done about it. According to Sullivan, the memorandum indicated Mr. Hoover told President Nixon he would do something

about the White House leaks, but Mr. Sullivan indicated there was no reference in the memorandum to possible utilization of electronic surveillances. Mr. Sullivan stated that in this meeting with Mr. Hoover, Mr. Hoover did not ask him to do anything regarding the White House leaks.

Mr. Sullivan recalled seeing a memorandum regarding a meeting between Dr. Kissinger and Mr. Hoover in early May, 1969, but he could not recall whether the memorandum he saw had to do with the May 5, 1969, meeting. He recalled that the memorandum indicated Dr. Kissinger made a request of Mr. Hoover that certain wiretaps be put on to counteract White House leaks of information. Mr. Sullivan did not recall the names of any individuals mentioned. It is Mr. Sullivan's recollection that the memorandum showed that Mr. Hoover had told Dr. Kissinger that the FBI could initiate the wiretaps requested and that it would be done. Mr. Sullivan stated he has no recollection of having received any request from Mr. Hoover for any necessary action based on information set forth in the memorandum.

As indicated in	the attached inter	views of M <u>r. John</u>
P. Mohr, Miss Helen Gandy,	Mrs.	Miss ,
and Miss	these individuals	
furnish any information re-	garding the memora	nda referred to by b6
Mr. Sullivan regarding the	Camp David meetin	g and Dr. Kissinger's b/C
meeting with Mr. Hoover on	May 5, 1969. Mrs	. Misa
, and Miss we	re the employees w	ho handled all of
Mr. Hoover's dictation.	~ ~	

CURRENT FBI ANALYSIS

Essentially, it appears that two basic questions should be answered concerning the 17 wiretaps placed between May, 1969, and February, 1971, in connection with leaks of highly sensitive national security information from the White House. The best way to resolve the questions would be to produce unassailable documentary evidence. However, an exhaustive search of FBI records has been made, and the documents needed to provide the solution cannot be located.

Therefore, since the best evidence, i.e., complete documentation, cannot be located, we feel that a professional analysis of the available facts is the next best way of helping to resolve the issues. Our analysis does not cover the basic issue of whether the wiretaps were properly and legally placed, based on the constitutional powers of the President and the state of the law at the time. Our previous legal analysis has fully convinced us that the wiretaps were legal.

Our professional analysis then is concerned with (1) the issue of who actually initiated the wiretaps; that is, who actually suggested, requested, or ordered the installation and use of the wiretaps; and (2) the issue of why the Morton Halperin wiretap was evidently installed on May 9, 1969, whereas the Attorney General authorization was not effective prior to May 12, 1969.

First, and foremost, all available FBI records available for analysis and review are the records recovered from the White House May 12, 1973, after they had been turned over to former Assistant Attorney General Robert C. Mardian by former Assistant to the Director William C. Sullivan in the Summer of 1971. The FBI has no record of what records were turned over to Mr. Mardian by Mr. Sullivan; therefore, we have no way of knowing whether we did, in fact, retrieve all of the records originally turned over to Mr. Mardian. This is mentioned, not in any sense as an accusation that some of these records may have been removed prior to their return to FBI control, but only as one of the many unknown factors in trying to arrive at a logical conclusion as to the facts.

All of those records retrieved from the White House have been carefully reviewed, and it is not possible to establish with any degree of certainty the role Dr. Kissinger played in the initiation of the wiretaps. The initial document recording the request by the White House for the wiretaps states that the request was made personally by then Colonel Alexander M. Haig of Dr. Kissinger's Office, and Colonel Haig stated this request was being made on "the highest authority." This immediately

suggests that the President, not Dr. Kissinger, was the initiator of the request.

One memorandum, a personal memorandum from Mr. Sullivan to Mr. Hoover, dated May 20, 1969, records that Dr. Kissinger reviewed logs of the first four wiretaps in Sullivan's office and told Sullivan that he (Kissinger) wanted the coverage to continue for a while longer on the first four names, to which would be added new ones. This memorandum also recorded that Dr. Kissinger stated "It is clear that I don't have anybody in my office that I can trust except Colonel Haig."

We understand that Dr. Kissinger has indicated he attended a meeting between the President, Attorney General, and J. Edgar Hoover on May 9, 1969, or previous to that time, concerning the very serious matter of leaks of national security information from the White House. Supposedly, the matter of wiretaps was discussed at that meeting, perhaps with Mr. Hoover suggesting this technique as one means of discovering the source of the leaks. We know that no such meeting occurred on May 9, 1969, since the President and Dr. Kissinger were in Key Biscayne, Florida, on that date while Mr. Hoover was in Washington.

A review of Mr. Hoover's appointment book and logs of his telephone calls and personal meetings in his office (copies attached hereto) reveals that Mr. Hoover had dinner with the President and the Attorney General at Camp David on April 25, 1969. There is no information available to indicate Dr. Kissinger was present, although he may well have been.

Mr. Hoover's daily log reveals the President telephoned him at his home at 6:55 p.m., May 2, 1969. Subsequently, at 12:05 p.m., May 5, 1969, Colonel Haig of Dr. Kissinger's Office called and left a message, since the Director was out at the time. At 1:12 p.m. Colonel Haig called the Director's telephone room and confirmed an appointment for Dr. Kissinger. At 3:55 p.m. and 4:10 p.m., Dr. Kissinger's Office called to advise that

Dr. Kissinger would be a little late. At 4:27 p.m. Dr. Kissinger met with Mr. Hoover, and at 4:43 p.m. Mr. Hoover attempted to reach Assistant Director William C. Sullivan.

The events surrounding the meeting at Camp David on April 25, 1969, and Dr. Kissinger's visit to Mr. Hoover's office on May 5, 1969, following a telephone call from the President on May 2, 1969, tend to support the theory that Mr. Hoover had possibly discussed the very serious matter of White House leaks with the President, the Attorney General, and Dr. Kissinger. Such being the case, the matter of wiretaps being a valuable tool in the investigative effort to pinpoint the source of the leaks logically would have come up. We know that the then Attorney General John N. Mitchell had been somewhat critical of the restrictive attitude of former Attorney General Ramsey Clark concerning the use of wiretaps. We feel, therefore, that Mr. Mitchell would have certainly been amenable to the suggestion for use of wiretaps.

Mr. Hoover's attitude respecting the use of wiretaps has traditionally been a negative one. FBI records are replete with evidence of his repugnance for use of wiretaps, and it is, therefore, highly unlikely that he would have initiated a suggestion for their use in this case. We think, however, if the President and the Attorney General had voiced an opinion that wiretaps were in order, Mr. Hoover would not have opposed them in any way. In absence of any documentary evidence, however, the FBI cannot supply facts concerning the conversations that might have taken place where Mr. Hoover took part concerning the suggestion, proposal, or recommendation that wiretaps be used.

With respect to specific documentation regarding Mr. Hoover's meeting with the President and Mr. Mitchell at Camp David on April 25, 1969, and his subsequent meeting with Dr. Kissinger on May 5, 1969, an effort was made to determine if Mr. Hoover had made any record of these meetings. Mr. Hoover's personal Executive Assistant of many years, Miss Helen W. Gandy, felt in her own mind that Mr. Hoover would have dictated a record of those two meetings since he always carefully recorded important meetings and discussions. She does not now recall that he did prepare such records. Upon interview, as related above, secretarial personnel could not recall preparing memoranda relating to these two meetings.

The Attorney General Since Mr. W. C. Sullivan played a key role in this matter, he has been interviewed at length concerning his recollection of the sequence of events and the facts surrounding the use of wiretaps in this case. Results of his interviews are attached. Mr. Sullivan advised that he did not instruct the Washington Field Office to initiate electronic surveillance coverage on Halperin on May 9, 1969, either on his own authority or anyone else's. He stated his normal procedure was to telephonically contact a specific supervisor in the Washington Field Office and instruct him to initiate coverage after specific authorization had been obtained. However, logs of the wiretap on Morton H. Halperin reveal the first call monitored was at 6:20 p.m., May 9, 1969. This fact then raises the second important question; i.e., "when was the wiretap (at least on Halperin) actually requested, and who authorized 1t?" Washington Field Office personnel were interviewed at length, and pertinent Agents were unable to recall sufficient facts to resolve the question. The coordinating supervisor, who does recall having been instructed by W. C. Sullivan to have the first wiretaps installed, cannot now recall the date or the identities of those wiretapped. He thought Mr. Sullivan furnished him the names of several individuals on whom coverage was to be instituted but could not recall identities of those individuals. As a matter of record, however, the other three wiretaps (besides Halperin) were not monitored prior to May 13, 1969, even if they were installed prior thereto. The Special Agent who handled the technical work could recall only that the request came possibly on a Friday and that he worked late that evening to insure that the correct line was being monitored so that he would not have to come in the next day. He does not recall the day of the month, but May 9, 1969, was on Friday. While it is recorded that the first wiretap, the Halperin wiretap, was initiated on May 9, 1969, the question as to who ordered (or requested) it is still unresolved. We do know, however, that on May 9, 1969, a series of telephonic

discussions took place between Mr. Hoover and Dr. Kissinger concerning the seriousness of the leaks, and specifically about a leak appearing in a New York Times article by William Beecher on May 9, 1969. Dr. Kissinger declared that this particular leak was extraordinarily damaging and used secret information. Dr. Kissinger asked that the FBI use whatever resources were needed to find out who was responsible.

Mr. Hoover posed the problem to his executive staff and through appropriate contacts information was developed concerning three possible suspects in connection with the leaks. These suspects were (Morton) Halperin, (Lawrence?) Eagleburger, and All three were connected with the National Security Council, and all three were acquainted with William Beecher, author of The New York Times article referred to by Dr. Kissinger.

Halperin and had reportedly gone to school, possibly at the same time as Beecher, at Harvard University.

school who was then (in May, 1969) a staff member of the National Security Council. This information was telephoned to Dr. Kissinger by Mr. Hoover at about 5:05 p.m., May 9, 1969. Insofar as Mr. Hoover and the FBI were concerned at that point, Halperin, Eagleburger, and were all good possibilities as suspects in the leaks. However, and this is a most significant point, only Halperin was targeted for a wiretap. We cannot conceive of Mr. Hoover or anyone else in the FBI making a unilateral decision to wiretap Halperin to the exclusion of the other two logical suspects.

This leads to a somewhat logical conclusion that during the discussion between Mr. Hoover and Dr. Kissinger beginning at 5:05 p.m., Dr. Kissinger made the decision to wiretap Halperin but not the other two. If such were the case, Mr. Hoover would have immediately instructed (probably W. C. Sullivan) to institute the wiretap on Halperin, and this would account for the Washington Field Office Agent's recollection of staying late to have the wiretap installed and working so he would not have to come in on Saturday, possibly May 10, 1969.

The Director's daily log does not show that Mr. Hoover made a call to Sullivan following the 5:05 p.m. call to Dr. Kissinger. However, if Mr. Hoover used his direct line to Sullivan, such call would probably not have been logged.

The records retrieved from the White House reveal that on May 10, 1969, Mr. Sullivan tried to contact Mr. Hoover at his home and, being unsuccessful, left a message with Miss Gandy for Mr. Hoover. Sullivan related that Colonel Haig had visited him on the morning of May 10, 1969, and made certain requests concerning a colonel at the Pentagon. Sullivan said that he did not want to move on this until he had gotten Mr. Hoover's approval, and "they" did not want anything in writing.

This record supports the theory that as of May 10, 1969, not all of the original four wiretap requests had been previously requested since it would appear that the colonel in the Pentagon referred to above was probably Colonel Robert Pursley, one of the four initially wiretapped in this case.

We can offer no explanation as to the reason why the memorandum to the Attorney General dated May 12, 1969, in which the first four wiretaps were requested and approved did not set forth the fact that one of the wiretaps had already been initiated on May 9, 1969. If the theory is correct that Dr. Kissinger made the request for the wiretap during the conversation at 5:05 p.m. on May 9, 1969, it would have been logical under the circumstances to state in the memorandum that the request had been made for the wiretap on Halperin on May 9, 1969, and that, because of the urgency and source of the request, it had been initiated on the basis of expected authorization by the Attorney General on the following workday (Monday, May 12, 1969).

It can be speculated also that when the request was made late in the day (Friday) May 9, 1969, Sullivan had no reasonable expectation that the installation could be made prior to May 12, 1969, since it would be difficult to get the installation made on the evening of May 9, 1969, or during the weekend. This does not account for failure of the May 12, 1969, memorandum to state that the Halperin request was made

May 9, 1969, instead of May 10, 1969, as set forth. However, in the haste to get the memorandum to the Attorney General, a shortcut in the administrative language could have occurred. In other words, in the preparation of the memorandum, it would have been much simpler to set forth that all of the wiretaps were requested by Colonel Haig on May 10, 1969, than to go into the more complicated details of one being requested May 9, 1969, by Kissinger and the others on May 10, 1969, by Colonel Haig.

The only other possibility is that Colonel Haig and W. C. Sullivan independently worked out the details early on May 9, 1969, and Sullivan bypassed Mr. Hoover on the Halperin request on May 9, 1969, ordering it without advance clearance from either Mr. Hoover or the Attorney General.

In any of these considerations, it must be remembered that, according to Sullivan's first memorandum on the subject dated May 11, 1969, he wrote that Colonel Haig had stressed that the matter was so sensitive that it demanded handling on a need-to-know basis, with no record being maintained. He said in fact, that if possible it would be desirable to have the matter handled without going to the Department of Justice; although Sullivan was told that the Attorney General was aware in general terms of the main elements of the security problem.

Here we have a request for a reversal of our normal operating procedures relating to wiretaps. Ordinarily, the FBI initiates the request for the wiretap. It is the FBI seeking authority under constitutional power of the President to install the wiretap, and the Attorney General, acting for the President, grants or denies that authority.

But in the case of the wiretaps in question, these were being requested from authority higher than the Attorney General; i.e., being requested in the name and office of the Presidency, which is the source of authority.

It can, therefore, be stated that these wiretaps for and on behalf of the White House required no additional authorization or approval of the Attorney General. Therefore, the various memoranda to the Attorney General were merely a device to insure that the FBI was not acting unilaterally. Can the President instruct the Director of the FBI to install a national security wiretap without consulting the Attorney General? Our answer was that we believed he had the authority and we acted on that belief.

Many of the nagging questions could undoubtedly be answered, at least in part, if records could be located of Mr. Hoover's visit to Camp David, his telephone conversation with the President on May 2, 1969, and his meeting with Dr. Kissinger on May 5, 1969. We have not located these records. However, as noted in the attached report of interviews of Mr. Sullivan, he recalls reading memoranda relating to a Camp David meeting probably on April 25, 1969, and a meeting with Dr. Kissinger probably on May 5, 1969.

Mr. Sullivan recalls that subsequent to Mr. Hoover's meeting with the President at Camp David on April 25, 1969, Mr. Hoover showed him a memorandum he prepared concerning the meeting and told Sullivan that this memorandum would never leave his (Hoover's) office. According to Sullivan, this memorandum dealt with three main topics: (1) Then Deputy Attorney General Richard Kleindienst was pressing Mr. Hoover to testify before Congress on the FBI's electronic surveillance activities in general. Mr. Hoover was very much opposed.

(2) The matter of the White House leaks was discussed, and the FBI was urged to do something about the problem. Mr. Hoover promised that the FBI would do something. (3) Criticism of Mr. Hoover was discussed, although Mr. Sullivan does not recall the nature of the criticism.

Sullivan also recalls that after Mr. Hoover's meeting with Dr. Kissinger on May 5, 1969, he saw a memorandum concerning the meeting with Dr. Kissinger. Sullivan said this memorandum recorded the fact that Dr. Kissinger had requested Mr. Hoover to utilize certain wiretaps in an effort to stop the leaks. However, Sullivan could not recall the names of any individuals mentioned.

Unfortunately, Mr. Hoover's daily log does not show that Mr. Sullivan was in Mr. Hoover's office anytime between April 25, 1969, and May 31, 1969. However, in light of Mr. Sullivan's statement, the possibility should be considered that the daily log is not infallible.

Sullivan's recollection of the subject matter of the two memoranda described above is somewhat supportive of Dr. Kissinger's reported recollection of discussions prior to May 9, 1969, concerning the use of wiretaps in efforts to stop the leaks.

All of the evidence we have developed points to the fact that there was active collaboration between White House and FBI officials, including the President, Dr. Kissinger and then Colonel Haig, Mr. Hoover, Mr. Sullivan, and other FBI representatives in the attempt to identify and plug the leaks of extremely sensitive national security information. The White House obviously realized that in order to detect these leaks, which were coming from the very highest levels in the White House, extraordinary measures were necessary to prevent our investigative efforts from being exposed and neutralized. This factor, which in itself was a major problem, had to be considered along with the politically explosive factor of public reaction and opinion if the use of wiretaps against White House personnel and others were to be exposed.

By the same token, Mr. Hoover's reluctance to use wiretaps and his longstanding policy of requiring prior Attorney General authorization before wiretaps were used, may have been an annoyance to those in the White House who felt they were an important investigative tool. Couple this with W. C. Sullivan's personal philosophy that Mr. Hoover's wiretap policy was too restrictive and add the ingredient of the White House supporting his philosophy, rather than the restrictive Hoover policy, and the problems of misunderstanding and administrative mishandling are created. This entire analysis is dependent on the simple premise that the wiretaps were legal and proper and that whether Rissinger or the President or J. Edgar Hoover initiated them is irrelevant so long as the President approved of their use and/or was aware in advance of their proposed use and authorized them. We believe that Presidential approval was granted in advance, regardless of how it may have been expressed or given.

Enclosures - 18

1 - The Deputy Attorney General

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Date of Franscription June 19, 1974

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Arlington, Virginia, b7C

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Mr. John P. Mohr, former Assistant to the Director of the FBI, was interviewed at his residence.

It was explained to Mr. Mohr that logs in the possession of the FBI indicate that the late Director J. Edgar Hoover met at Camp David on April 25, 1969, with President Nixon and then Attorney General John N. Mitchell. Logs also indicate that on May 2, 1969, at 6:55 PM Mr. Hoover received a telephone call from President Nixon, which call was received at Mr. Hoover's residence, and on May 5, 1969, Dr. Klasinger visited with Mr. Hoover in the late Director's office at 4:27 PM. Mr. Mohr was further informed that memoranda concerning each of these three above-related incidents could not be located in FBI files. Mr. Mohr advised that Mr. Hoover nearly always recorded meetings and telephone conversations with important officials and that if he had dictated such memoranda they would in all Mr. Mohr advised that $^{
m b7C}$ probability have been dictated to Mrs. he had absolutely no information as to whether memoranda were prepared by Mr. Hoover concerning the above-related incidents or if they were prepared did he have any idea where they might be located.

Mr. Mohr continued that on May 2, 1972, the date of Mr. Hoover's death, he was instructed by Mr. Kleindienst to "secure" the Director's office. On receiving that instruction Mr. Mohr proceeded to Mr. Hoover's office and barred the cabinets in Mr. Hoover's office. He recalls that the official files of Mr. Hoover's office were later, on an unrecalled date, moved to then Acting Associate Director's office, Mr. Fek. Mr. Mohr was advised that all of the material from Mr. Hoover's office, which was later removed to Mr. Felt's office, had been inventoried and searched and no information pertaining to the seventeen wiretaps had been found in that material.

In the presence of interviewing Agents Mr. Mohr telephonically contacted former Associate Director Clyde Tolson. He telephonically reconstructed the three events listed above and inquired of Mr. Tolson if he had any recollection concerning memoranda that may have been prepared concerning same. Mr. Tolson replied to Mr. Mohr in the negative.

June 18, 1974 Arlington, Virginia	· · · · · · · · · · · · · · · · · · ·
Assistant Director Cdd T. Jacobson and Inspector Thomas J. Smith:gms	ictated June 10, 1074

Mr. Tolson also advised Mr. Mohr that he had no recollection concerning Mr. Hoover having briefed him concerning any of these events and, therefore, was not in a position to advise concerning them nor of any memoranda prepared concerning them. Mr. Mohr did advise that in previous contacts with Mr. Tolson it had been determined that he has been having difficulty remembering events going back as far as five years.

FD-302 (REV. (11,27-70) .

FEDERAL BUREAU OF INVESTIGATION

Date of transcription June 19, 1974

Miss Helen Gandy, Apartment 915, 4801 Connecticut Avenue, Northwest, Washington, D. C., former Executive Assistant to the late J. Edgar Hoover, was interviewed at her apartment and in the presence of former Assistant to the Director Mr. John P. Mohr.

Miss Gandy was informed that logs in the possession of the FBI indicate that former Director Hoover visited at Camp David on April 25, 1969, with President Nixon and former Attorney General John N. Mitchell. Logs further indicate that on May 2, 1969, at 6:55 PM Mr. Hoover received a telephone call from President Nixon, which call was received at Mr. Hoover's residence, and on May 5, 1969, Dr. Henry Kissinger visited with Mr. Hoover in the latter's office at 4:27 PM. Miss Gandy was requested to advise if she had any recollection concerning memoranda prepared depicting the results of the above three listed events. She replied that she could not recall ever having seen such memoranda but if they had been prepared in all probability they would have been dictael by the Director to b7C She advised that upon Mr. Hoover's death personal papers which were located in his office had been destroyed, but that the "official confidential files" pertaining to Mr. Hoover's office and which were maintained in her office had been sent to the office of Mr. Felt, the then Acting Associate Director. Miss Gandy advised that Mr. Hoover generally always recorded his conversations with important officials and, therefore, felt that Mr. Hoover would have recorded the three events, especially the April 25, 1969, meeting at Camp David and the meeting with Dr. Kissinger in his office on May 5, 1969.

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Interviewed on June 18, 1974 Washington, D. C.
Assistant Director Odd T. Jacobson by and Inspector Thomas J. Smith/wmj Dote dictoled June 19, 1974

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June 18, 1974

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Mr. William C. Sullivan, Sumset Road, who is a former Assistant
Director and former Assistant to the Director of the Federal Bureau of Investigation,
was telephonically contacted at his residence by Inspector

He was asked if he could furnish any information regarding the following matters.

- 1. A dinner at Camp David, Maryland, on Friday, April 25, 1969, at which President Nixon, Attorney General Mitchell, and J. Edgar Hoover were present.
- 2. A telephonic conversation between President Nixon and J. Edgar Hoover on Friday, May 2, 1969. This call was made to Mr. Hoover's home at 6:55 PM.
- 3. A meeting on May 5, 1969, at FBI Headquarters, Washington, D. C., between Dr. Kissinger and Mr. Hoover. This meeting began at 4:27 PM.
- 4. Mr. Sullivan's telephonic conversation with Mr. Hoover at 3:48 PM on 5/7/69.
- 5. A telephonic conversation between Mr. Sullivan and Mr. Hoover at 3:23 PM on May 9, 1969.

Regarding the dinner at Camp David, Maryland, Mr. Sullivan stated that it is his recollection that he went to see Mr. Hoover in Mr. Hoover's office sometime subsequent to the Camp David dinner, date of which was unrecalled by Mr. Sullivan. Mr. Sullivan stated that Mr. Hoover showed him a memorandum which Mr. Hoover indicated he was not sending outside of his office.

Mr. Sullivan stated it was his recollection that Mr. Hoover was upset during his conversation with Mr. Sullivan and that the memerandum shown to him by Mr. Hoover made mention of the desire of Richard Kleindienst, then Deputy Attorney General, for Mr. Hoover to testify later in 1969 in the U. S. Congress concerning FBI wiretaps. Sullivan indicated that the memorandum stated that Mr.

Interviewed on	we 18, 1974
by Inspector	/wmj b6

Hoover indicated that he was not going to testify. Sullivan stated that the memorandum indicated that President Nixon had made some comment to the effect that he would talk to Kleindienst and get him straightened out.

Sullivan stated that the memorandum also indicated that President Nixon was disturbed about White House leaks of information and that the President had indicated something had to be done about it. According to Sullivan the memorandum indicated that Mr. Hoover told President Nixon that he would do something about the White House leaks but Sullivan indicated there was no reference in the memorandum to possible utilization of electronic surveillances.

Sullivan stated he memorandum also made mention of some criticism directed against Mr. Hoover; however, Sullivan could not recall the nature of this criticism or when and by whom it was made.

Sullivan stated that at the above-mentioned meeting with Mr. Hover, Mr. Hover did not ask him to do anything regarding the White House leaks.

Regarding President Nixon's telephonic conversation with Mr. Hoover on May 2, 1969, Mr. Sullivan indicated he had no recollection of having talked to Mr. Hoover regarding this conversation or having seen any memorandum written by Mr. Hoover regarding it.

Regarding the meeting between Dr. Kissinger and Mr. Hoover at FBI Headquarters on May 5, 1969, Mr. Sullivan recalled seeing a memorandum regarding a meeting between Dr. Kissinger and Mr. Hoover in early May, 1969, but he could not recall whether the memorandum he saw had to do with the May 5, 1969, meeting. He could not recall where or when he saw the memorandum. He recalled that the memorandum indicated that Dr. Kissinger had requested of Mr. Hoover that certain wiretaps be put on to counteract White House leaks of information. Mr. Sullivan did not recall the names of any individuals being mentioned. Mr. Sullivan stated that it is his recollection that the memorandum showed that Mr. Hoover had told Dr. Kissinger that the FBI could initiate the wiretaps requested and that it would be done. Mr. Sullivan stated he has no recollection of having received any request from Mr. Hoover for any necessary action based on information set forth in the memorandum.

Regarding Mr. Sullivan's telephone conversation with Mr. Hoover on May 7, 1969, Mr. Sullivan stated he had no recollection of the nature of this conversation or of ever having written or seen a memorandum which would set forth details regarding their conversation.

Regarding Mr. Hoover's telephone conversation with Mr. Sullivan on May 9, 1969, Mr. Sullivan stated he has no recollection of the nature of this conversation and does not remember either preparing a memorandum or seeing

2 memorandum which pertained to this conversation.

In a subsequent telephonic contact on June 18, 1974, Mr. Sullivan advised inspects that in connection with his meeting in Mr. Hoover's office sometime after the Camp David meeting referred to previously, he was requested to report to Mr. Hoover's office for this meeting.

Mr. Sullivan indicated that his secretary, while he was Assistant
Director of the FBI, maintained an appointment book for him and that he
might possibly have this book presently in his possession. He stated he
would attempt to locate it to see if there was any information therein which
would have a bearing on dates he was in contact with Mr. Hoover during
April and May, 1969. He stated that any pertinent information in the appointment
book would be made known to Inspector

In a third telephonic conversation on June 18, 1974, Mr. Sullivan telephonically advised inspector that he had located his appointment book. He stated there was no notation therein showing any meetings he had on May 7 or 9, 1969, with Mr. Hoever. In connection therewith he indicated that his appointment book normally contained appointments set up ahead of time and that if he received a telephone call to see a particular individual at FBI Headquarters this would not be set forth in the appointment book. He advised that the appointment book does not contain any notation regarding his meeting with Colonel Alexander Haig of the White House staff on May 10, 1969.

FEDERAL BUREAU OF INVESTIGATION

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Date of transcription June 17. 1974

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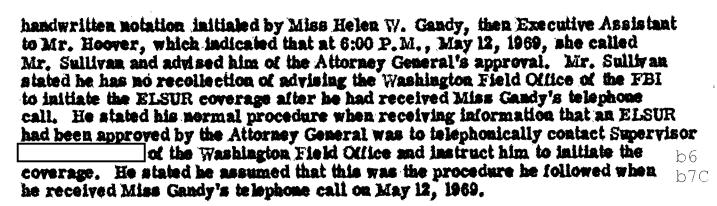
Mr. William C. Sullivan, Sunset Road, who is a former Assistant Director and former Assistant to the Director of the Federal Bureau of Investigation , and Gerald D. Coakley was interviewed by Inspectors regarding his recollection of the circumstances surrounding the initiation of electronic surveillance (ELSUR) coverage on Morton Halperin in May, 1969. The identities of Inspectors and Coakley as members of the Inspection Division, FBI Headquarters, were made known to Mr. Sullivan at the cutset of the interview.

A copy of a memorandum from W. C. Sullivan to Mr. C. D. DeLoach dated May 11, 1969, and captioned "Colonel Alexander M. Haig, Technical Surveillance Request," together with a copy of a memorandum for the Attorney General dated May 12, 1969, captioned "Colonel Alexander M. Haig, Technical Surveillance Request," were shown to Mr. Sullivan. The May 12, 1969, memorandum indicated that on May 10, 1969, Colonel Haig, who was assigned to the staff of Dr. Henry A. Klasinger, had come to the Bureau and requested that a telephone surveillance be placed on four individuals including Morion Halperia.

After reviewing the May II, 1969, memorandum, Mr. Sullivan acknowledged preparing it. He stated that at that time he was serving as Assistant Director, Domestic Intelligence Division, FBI Headquarters, Washington, D. C. Mr. Sullivan stated that due to the extremely sensitive nature of the coverage involved, he recalled that his memorandum suggested that Mr. Hoover might want to discuss the matter personally with the Attorney General. Mr. Sullivan stated that in normally handling ELSUR requests as Assistant Director he would make a direct recommendation as to whether or not the coverage should be initiated. He stated that the particular request of Colonel Haig was so sensitive that it necessitated specific discussion by Mr. Hoover with the Attorney General.

Mr. Sullivan was shown a copy of an FBI routing slip dated May 12, 1960. to which was attached a copy of the May 12, 1969, memorandum to the Attorney General referred to above. The routing alip stated that the attached (referring to the May 12, 1969, memorandum to the Attorney General) was approved by the Attorney General at 5:48 P.M., May 12, 1969. The routing slip contained a

Interviewed on June 15, 1974 of Sugar Hill	New Hampshire File #
Inspectors , and by Gerald D. Coakley/wmj	b7C Date dictated June 17, 1074



Mr. Sullivan was shown copies of ELSUR logs dated May 9, 10, and 11, 1969, which set forth results of the ELSUR coverage on Morion Halperin. He stated he had no recollection of seeing these particular logs but acknowledged that his handwriting appeared on the May 10, 1969, log. He indicated that at the outset of the initiation of the coverage on Morion Halperin he personally reviewed the logs which were hand-delivered to him in a sealed envelope by Special Agent Ernest Belter of the Washington Field Office. He stated that subsequently, due to the pressure of other business, he delegated the review of the logs to Special Agent Bernard Wells.

It was pointed out to Mr. Sullivan that the logs shown to him indicated that the ELSUR coverage on Halperin was approved by the Attorney General on May 12, 1969, whereas the logs showed that this coverage was in effect for three days prior to that date. He expressed complete surprise regarding this. He was asked how he could review the loss without noticing the dates thereof and realizing that the logs were dated prior to the receipt of the Attorney General's authority. He stated that his only way to explain this was that in reviewing mail he frequently read the contents thereof without paying particular attention to the dates thereof. He indicated that although he probably had seen the May 9, 10, and II, 1969, logs on Halperin, he could not state on what date or dates he may have seen them. He stated he had not instructed the Washington Field Office to institute ELSUR coverage on Halperin on May 9, 1969, either on his own authority on anyone else's and that he would take an oath to this effect. He stated he could furnish no information which would shed any light on how the ELSUR coverage on Halperin could have been in effect from May 9 - 11, 1969, when the Attorney General had not given authorization for this coverage until May 12, 1969. Mr. Sullivan stated that if he had had the May 9, 1969, ELSUR log on Halperin in his possession when he met with Colonel Haig on May 10, 1969, he probably would have shown the log to Haig; however, he stated he had no recollection that this was done.

Mr. Sullivan stated that there was never any doubt in his mind that the ELSUR coverage requested by Colonel Haig concerned legitimate national security matters.

C (REV. 11-27-70)

FEDERAL BUREAU OF INVESTIGATION ALL INFORMATION CONTAINED.

Mr. Cartia D. DeLoach, 96 Perkins Road, who is a former

Assistant to the Director of the Federal Bureau of Investigation, was interviewed by Inspector

his recollection of the Circumstances surrounding the initiation of electronic surveillance (ELSIR) coverage on Morton Halperin in May, 1969. The identities of Inspectors

and Coakley as members of the Inspection Division, FBI Headquarters, were made known to Mr. DeLoach at the outset of the interview.

A copy of a memorandum from W. C. Sullivan to Mr. C. D. DeLeach dated May II, 1969, and captioned "Colonel Alexander M. Haig, Technical Surveillance Request," tagether with a copy of a memorandum for the Attorney General dated May 12, 1969, captioned "Colonel Alexander M. Haig, Technical Surveillance Request," were shown to Mr. DeLeach. The May 12, 1969, memorandum indicated that on May 10, 1969, Colonel Haig, who was assigned to the staff of Dr. Henry A. Kissinger, had come to the Bureau and requested that a telephone surveillance be placed on four individuals including Morton Halperia.

He stated he has no recollection of having issued instructions to the Washington Field Office of the FBI to initiate ELSUR coverage on Morton Halperin or any other individual. He stated that in his capacity as Assistant to the Director of the FBI, he had occasion to review correspondence dealing with electronic surveillance coverage. He stated that if he received any correspondence indicating that an ELSUR had been approved by the Attorney General, he would route the mail back to the FBI Headquarters Division which had initiated the request.

Mr. DeLoach was shown copies of ELSUR logs dated May 9, 10, and 11, 1969, which set forth results of the ELSUR coverage on Morton Halperin. He stated that he had not seen these logs or any other logs pertaining to the ELSUR coverage on Halperin.

He stated he was aware of the concern expressed by the White House over leaks based on memoranda prepared by Mr. Hoover; however, he stated that the results of the ELSUR coverage based on the White House request

interviewed on	e-16, 1974 o'- Greenwich Connecticut file #
Inspectors	

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were handled directly by Mr. William C. Sullivan, then Assistant Director of the FBI, based on specific instructions of Mr. Hoover.

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FEDERAL BUREAU OF INVESTIGATION

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1	HEREIN IS UNCLASSIFIED Date of transcription June 18, 1974
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Wadani T	Supervisor, Washington Field Office (WFO), $b70$
he was be	ing interviewed in connection with the circumstances surrounding
the electr 1969.	onic surveillance (ELSUR) coverage on Morton Halperin in May,
received	advised that to the best of his current recollection he initially a telephone call from then Assistant Director William C. Sullivan
of the Dos	mastic Intelligence Division, who related he was calling because
ste	u wanted some special coverage conducted on the "highest authority." b 6 led that Mr. Sullivan furnished him with the names of several per-
SONS OR W	hom this coverage should be instituted but cannot recall specifically by of these individuals. Stated he is unable to furnish the date
or day of	the week on which this call was received but does believe the call was
he has no	some time during the afternoon. In this regard,advised that record of any kind which would record the date of this call and has
	no way to recall this information.
	continued that he did not consider it unusual for Mr. Sullivan
	n concerning this matter rather than the Special Agent in Charge ut that there had been occasions in the past where he had received
telephonic	instructions directly from Mr. Sullivanadvised that in the
was bu	
	terated that this was surmise on his part. recalled that b6 van instructed that only one copy of the logs recording the results b7
of the EL	SUR he made and that these logs should be hand carried to
Mr. Sulli from Mr.	van stated that at some point he received an instruction Sullivan that there should be no administrative communication
prepared	concerning this special coveragecontinued that this particular may have been given by Mr. Sullivan on the initial call or at a
subseque	at call. He also advised that he has no recollection of any statement
	Mr. Sullivan concerning whose specific authority had been obtained LSUR coverage with the exception of Mr. Sullivan's previously referred
nterviewed on	fune 17, 1974 Washington, D. C. File *
Inspector	J. Allison Conley and b6 Dote dictoted June 18, 1974
	bhg by the recommendations not conclusions of the FBI. It is the property of the FBI and is fooned to your agency;
	19. 19. 19. 19. 19. 19. 19. 19. 19. 19.

b6 to remark that the coverage had been requested on the 'highest authority.'' b7C advised that as a Supervisor in WFO it was not his prerogative to question the identity of the "highest authority." continued that upon receiving these instructions from Mr. Sullivan he immediately contacted Special Agent Supervisor Ernest H. Belter and relayed Mr. Sullivan's instructions to SA Belter. is mable to **b**6 recall whether he contacted SA Belter in person or by telephone. b7C recalls that he and SA Belter did have a discussion as to the instructions from Mr. Sullivan that only one copy of the log should be made and no administrative data retained in the office and as a result of their discussion he and SA Belter mutually agreed that the usual procedure of having employees place their initials by log entries would be dispensed with in this instance. He states he feels that the reason for reaching this decision was based on the unusual nature of the instruction from Mr. Sullivan and he and SA Belter had no way of knowing what would eventually become of the logs that they were instructed to personally deliver to Mr. Sullivan, so he did not feel that the initials of the monitors should be set forth in the transcript. stated that with regard to the request for coverage of these individuals he dictated an unofficial type memorandum to his secretary setting forth the request received from Mr. Sullivan. He does not recall whether he showed this memorandum to SA Belter but as no administrative records were b6 to be kept he maintained these memoranda in his safe and at such time as b7C coverage on a specific individual was discontinued per Bureau instructions he would then destroy the informal memoranda. He related that he knows he did orally discuss Mr. Sullivan's request with then SAC Joseph D. Purvis but does not recall whether he furnished this information on the same day that he received the call from Mr. Sullivan. has a feeling that Mr. Purvis was not in the office at the time he received this instruction from Mr. Sullivan. reiterated he could not fix the date or day of In conclusion the week on which he received the instructions from Mr. Sullivan to institute b70 coverage on Morton Halperin or others. He again stated he felt the call was received in the afternoon.

FD 302 (REV. 11-27-70)

FEDERAL BUREAU OF INVESTIGATION

VIT INLAMINATION CONTINUES
1 HEREIN IS UNCLASSIFIED Date of transcription June 18, 1974
SA Supervisor, Squad S-8, Washington Field
SA Supervisor, Squad S-8, Washington Field Office (WFO), Federal Bureau of Investigation, advised that in 1969 he was
an Agent assigned to this squad who had as one of his primary functions
liaison with the Chesapeake and Potomac Telephone Company and specifically
Mr. , who was at that time of Government Com-
munication Services, Chesapeake and Potomac Telephone Company.
related that in his ligison canacity be would normally physically contact
Mr. at Mr. office at the phone company and relay the partinent information peeded to effect electronic surveillence (FI SUR) covers b7C
her winder warner transmit as arrang district after the later than the form of the court of the
age. advised that his linison contacts with Mr. would be initiated upon receipt of instructions from his immediate supervisor who at
that time was Ernest H. Belier.
SA advised that he has no specific recollection of contacting
Mr. concerning effecting coverage of Morton Halperin or any other
individuals during May of 1969. He also stated that he currently has no
records concerning ELSUR coverage going back to 1969, explaining that his
normal procedure at that time was to maintain in a black loose-leaf notebook
the name, address, telephone number, and certain technical information of 66 each ELSUR coverage. The purpose of his maintaining this information was 670
in the event he received an inquiry from Mr. at the phone company
concerning any coverage then in effect so that he could knowledgeably discuss
any technical questions Mr. might have.
84 34 4 4 4 4 5 5 6
British that concerning the Elbur Coverage on Halperin
way office we goes not hereas he his distributible his oas highlight lecolds but
rather let Supervisor Belter maintain the information that was needed in this
regard. SA stated he has no records which would refer to the ELSUR
coverage placed on Morton Halperin er any other individuals in May, 1969.
SA continued that in the normal course of business he
would personally visit Mr. relay to him the telephone number 166
-oa warn klauk coverage was desired and Mr.
action to implement the coverage. According to SA on some
occasions Mr. was able to almost immediately institute the requested
riewed on June 17, 1974 of Washington, D. C. File #
Inspector J. Allison Conley and b6 Date dictored June 18, 1974
Inspector J. Allison Conley and b6 Dote dictored June 18, 1974 Inspector b7C
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FEDERAL BUREAU OF INVESTIGATION CONTAINED

HEREIN IS UNCLASSIFIED Date of transcription June 18, 1974

NATE 5/16/82 RY7858-58/defude

Ernest H. Belter, 616 Ednor Road, Silver Spring, Maryland, retired Special Agent of the Federal Bureau of Investigation (FBI), advised on interview at his residence that in 1969 he was supervisor of Squad S-8, Washington Field Office (WFO) of the FBI.

	Mr. Belter advised while he has no clear recollection as to specific time or date, sometime probably in the Spring of 1969, he was instructed to effect electronic surveillance (ELSUR) coverage on Morton Halperin, a man named Sonnenfeldt, and a man named Davidson. He believes there was a fourth person named but does not at this time recall the identity of this individual. Belter stated while he is not positive, he
	does think Supervisor of WFO personally came to his, Belter's, office with the instructions concerning the coverage to be effected
	on these individuals. He stated that he considered the instruction unusual in that Supervisor instructed only an original log should be main-
	tained once coverage was effected, no index cards were to be made, no records were to be kept and no written information to the Bureau, and no
	symbol number would be designated. In other words, according to Mr.
	Belter, the normal and regular administrative devices he was required to perform with regard to ELSUR coverage were prohibited in this instance
	based on the instructions he received.
ę	Mr. Belter was also instructed that the logs should be delivered to Mr. each morning after arrival of the 8:00 a.m. to 4:00 p.m. shift. In further discussing the initiation of these specific EISURS, Mr. Belter recalled that on the day he received his instructions from Supervisor had notes written in long hand setting forth the identity of the individuals involved.
	Mr. Belter stated that inasmuch as no official records were to be maintained regarding this coverage he kept his own hand-written record showing the identity of the person, address and telephone number as well as pair assignment on each ELSUR. He maintained this record on tablet paper as a running log and when the particular ELSUR coverage on an individual was taken off he would cross the name off the list. He recalled that eventually
interv	iewed on June 17, 1974 of Silver Spring, Maryland File #
by	Inspector J. Allison Conley and b6 Date dictated June 18, 1974

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his log recorded the above information on all of the 17 taps. At such time, date unrecalled, that he was informed by Supervisor that the last of b7C the 17 taps was to be taken off, this list was destroyed by Mr. Belter. Mr. Belter stated that Agent assigned to his squad, was responsible for maintaining liaison with Mr. the Chesapeake and Potomac Telephone Company and in connection with his b70 duties SA maintained a black covered loose-leaf notebook containing pertinent information on ongoing ELSURS. According to Mr. Belter, in this said he was going to rely on Mr. Belter keeping the instance. SA necessary information concerning these ELSURS. Mr. Belter stated while he is unable to specifically recall the date or time that he received his instructions from Supervisor believes this initial request could well have been on a Friday but reiterated he has no record to substantiate his belief in this regard. He does know that after receiving the instruction from Supervisor he promptly b6 relayed the necessary information to SA in order to effect the necessary contact with the phone company. It is Mr. Eelter's recollection that on the same afternoon, approximately one hour after he had been had talked to Mr. informed by SA that company a "hit" was received on the Halperin line. Mr. Belter recalls this because this particular ELSUR coverage on the four individuals was apparently so hot he hooked up two of the lines on a piece of equipment referred to as a voice operated relay device. According to Mr. Belter this plece of equipment is an automatic recorder which is activated by noise or voice and the purpose is to insure that no conversation is missed. He stated that he could only hook up the equipment on two of the four lines because the equipment was capable of only handling two lines simultaneously.

Mr. Belter continued that while setting up this equipment he was advised by one of his employees that the "hit" was received on the Halperin line which confirmed that they were on the right line for Halperin. Mr. Belter stated that he spent a considerable period of time working on this equipment to insure that it was functioning properly and believes he stayed past his normal working hours. He advised that it is because of this recollection he has reason to believe it could well have been that the initial coverage was on a Friday afternoon as he would have wanted to insure the

equipment was operating properly before he left the office and thereby preclude his being called in on Saturday. Mr. Belter reiterated that this observation, attempting to fix the date, is speculation on his part and stated he has no records which would substantiate the date in quest ion.

Mr. Belter commented that initially these particular ELSURS were tape recorded by his employees but the tapes are not maintained for any extended period of time and in the normal course of business as tapes were completed they would be erased and used over again by his employees.

Mr. Belter recalls that when Supervisor first mentioned	
the instructions from Mr. Sullivan that ELSUR coverage be effected as set	
out above he and Supervisor both expressed concern to each other	
that perhaps Mr. Sullivan was ordering this coverage on his own. He	*
stated their mutual concern was prompted by the unusual nature of the	
request received, particularly that only one copy of the log should be	
prepared and none of the normal administrative procedures were to be	b6
followed. Mr. Belter advised that within three or four days of his initial	b7C
instructions to effect ELSUR coverage. Supervisor informed him that	
he, had confirmed the Attorney General had approved the coverage.	
According to Mr. Belter, he and Supervisor both expressed relief	
that this had been done and that Mr. Sullivan was not operating independently	7
at the time of the initial instructions from him. In this regard, Mr. Belter	1
advised he had been assigned to this particular field of operations for twenty	
five years and had been the supervisor since 1961 and this, the initial	
instructions from Mr. Sullivan, was the first instance to his knowledge when	nio.
instructions had been received to maintain no records of ELSUR coverage.	CALL

FEDERAL BUREAU OF INVESTIGATION

Date of transcription June 18, 1974

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription___June 18, 1974 Miss Administrative Assistant in the office of b7C FBI Director Clarence M. Kelley, was advised that she was being interviewed regarding her knowledge of any memorandum written by Mr. J. Edgar Hoover which set forth discussions had at Camp David, Maryland, on April 25, 1969, when Mr. Hoover had dinner with President Nixon and John Mitchell, then Attorney General. She was advised that she was also being interviewed regarding her knowledge of any memorandum prepared by Mr. Hoover which would set forth details of Mr. Hoover's meeting at FBI Headquarters with Dr. Heary Kissinger on May 5, 1969. It was further indicated to that information had been received that such a memorandum had been prepared and that it had to do with Dr. Kissinger's request for certain wiretans because of White House leaks and Mr. Hoover's indication to Dr. Klesinger that the FBI could initiate the wiretans and that this would be done. stated that she can only recall having taken dictation b6 Mise b7C from Mr. Hoover on two occasions and that neither of these had to do with the matters referred to above. She stated that Mrs. the individual who handled most of Mr. Hoover's dictation and in her absence Miss would handle same. ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 5/6/82 BY 7858-SR/cle/wale

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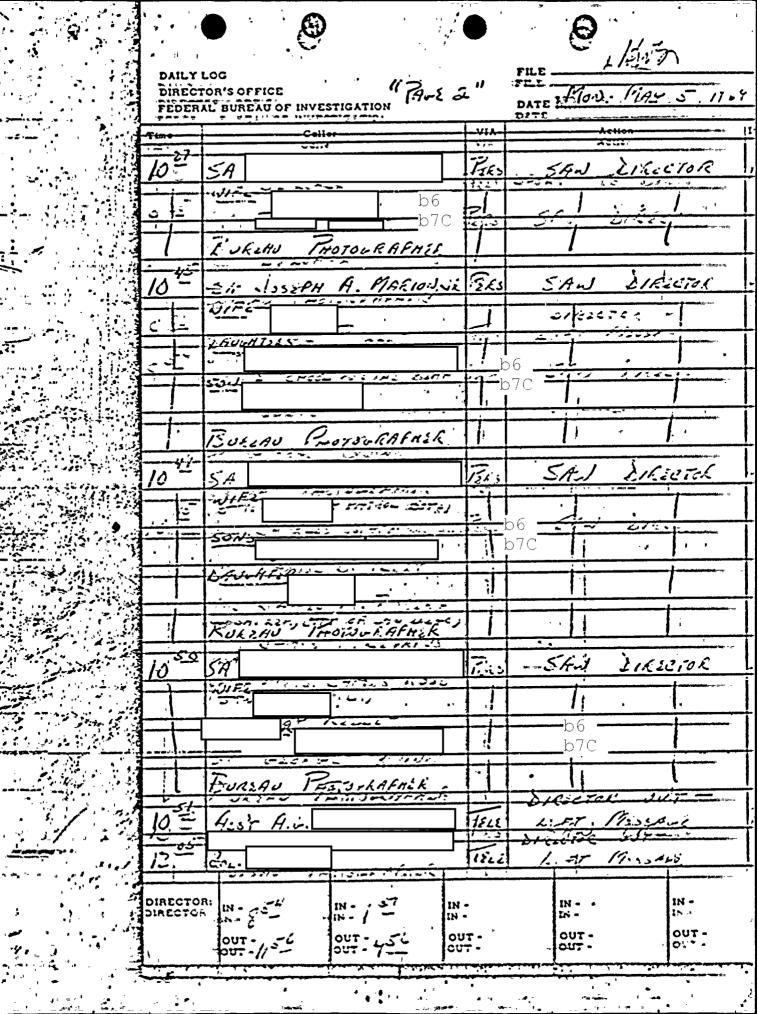
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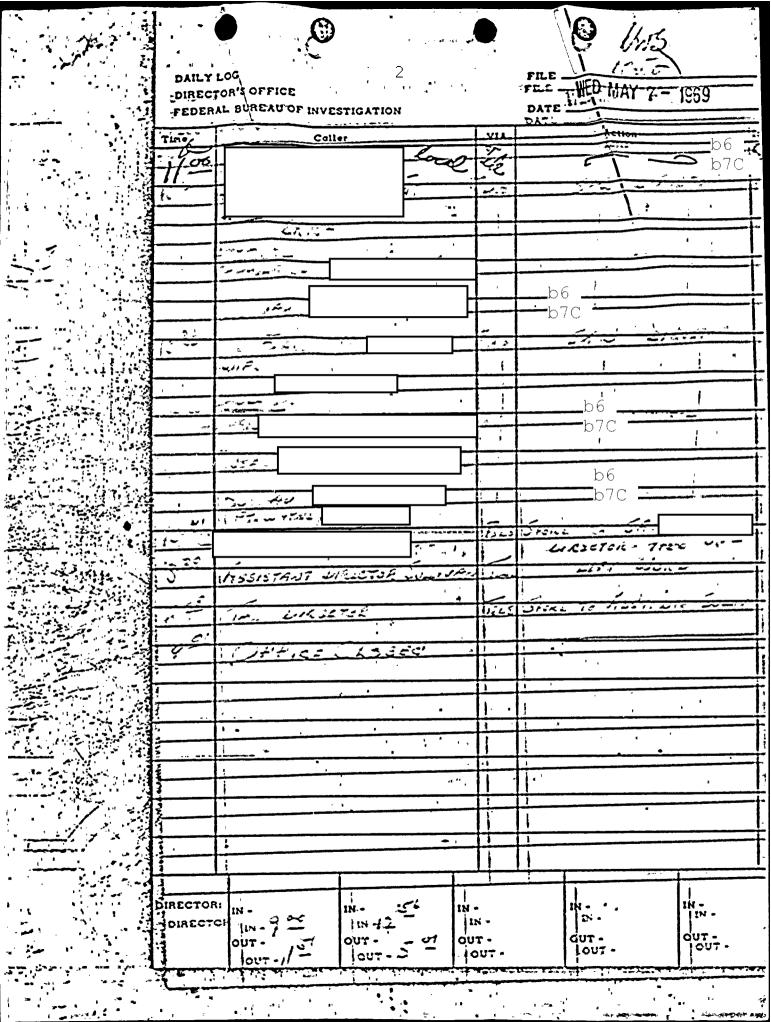
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Tir. O. T. Jacobson 1 - Mr. W. R. Wannall 1 - Mr. A. B. Fulton

June 20, 1974

The Attorney General

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ALL INFORMATION CONTAINED

Director, FBI

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WIRETAPS OPERATED FOR THE WHITE HOUSE BETWEEN MAY, AND FEBRUARY, 1971

PECON

Reference is made to my memorandum dated June 14, 1974, enclosing a number of documents pertaining to the captioned electronic surveillances which were furnished to you in response to a request made by the Senate Foreign Relations Committee. Further reference is made to the letter to Acting Attorney General Silberman from Senator J. William Fulbright, Chairman of the Senate Foreign Relations Committee, dated June 18, 1974, which requests additional documents relating to this matter.

Enclosed herewith are two copies each of communications which I believe will be responsive to Senator Fulbright's request for documents bearing on Dr. Kissinger's role in the surveillance **b**6 b7C in question.

In addition to these documents, the Senatur requested in Item 1 of the enclosure to his letter, any memoranda or other records prepared by Mr. Hoover as a result of a meeting between the President, Dr. Rissinger, Attorney General Mitchell and Mr. Hoover on May 9 or 10, 1969. An exhaustive search of our files has failed to locate any such documents prepared by Mr. Hoover. In addition, it has not been possible to verify that any meeting between these officials took place.

In Item 2 of the attachment, the Senator requested any memoranda prepared following or relating to a June 4, 1969, meeting between Mr. Hoover and Dr. Kissinger. We are unable to locate any records of such a meeting. However, a June 4, 1969, intra-Bureau memorandum and a memorandum to the Attorney General of the same date identified in Bureau files as serials 65-75085-267 and 268 indicate contact between former Bureau official W. C. Sullivan and Dr. Kissinger on that date. Serial 268 was furnished with my letter of June 14, 1974, and serial 267 is enclosed herewith.

Enclosures 194

7-18 note page two

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Item 4 of the attachment to the Senator's letter requests copies of the office calendar records and telephone logs for Mr. Hoover and Mr. Sullivan for the dates May 9 and 10, 1969. The office calendar and telephone logs covering these dates for Mr. Hoover are attached. No such records for Mr. Sullivan are available in the FBI.

In connection with Item 8 of the attachment, it is noted the Senator requested a copy of a letter from Mr. Hoover to Dr. Kissinger dated December 8, 1969. No such letter can be located and it is felt that the correct date should have been either December 3, 1969, or December 18, 1969, on which dates letters were sent by Mr. Hoover to Dr. Kissinger. The December 3, 1969, letter was enclosed as an attachment to referenced communication of June 14, 1974, and the December 18, 1969, letter is enclosed herewith. Also in connection with Item 8, it should be noted that we are unable to locate any letter to Dr. Kissinger dated December 30, 1970.

In furnishing these documents, I would like to restate my concern that further dissemination of this material will result in leaks which will have an adverse effect upon our operations in this most sensitive field. I sincerely hope that adequate safeguards will be taken to protect this information from further public disclosure.

1 - The Deputy Attorney General

NOTE:

See Senator Fulbright's letter to Acting Attorney General Silberman dated June 18, 1974, a copy of which is attached. Also attached are copies of the serials from 65-75085, which were furnished as enclosures hereto.

1 - Mr. N. P. Callahan 1 - Mr. J. A. Mintz 1 - Mr. O. T. Jacobson 1 - Mr. W. R. Wannall June 24, 1974

The Attorney General

Director, FBI

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17 WIRETAPS OPERATED FOR THE WHITE HOUSE BY THE FRI

BETWEEN MAY, 1969, AND FEBRUARY, 1971

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Reference is made to the confer Attorney General's Office on June 21, 1974, between Associate Director Nicholas P. Callahan, Deputy Associate Director E. S. Miller, Assistant Director O. T. Jacobson, Inspector Thomas J. Smith, Mr. Lawrence Silberman, the Deputy Attorney General and Mr. James Wilderotter, Associate Deputy Attorney General, concerning captioned matter. Earlier, on June 14, 1974, the Deputy Attorney General advised Mr. Callahan that he had received information from Morton Halperin's attorney that he, the attorney, had noticed, in reviewing documents , pertaining to the electronic surveillance on Halperin, that FBI logs indicated Halperin's telephone had been overheard on May 9, 10, and 11, 1969, whereas the Attorney General's approval for the electronic surveillance was dated, The Deputy Attorney General requested May 12, 1969. clarification on this matter.

Pursuant to the Deputy Attorney General's request on June 21, 1974, the following is a summary of information relating to the matter. Copies of pertinent FD 302's and other pertinent documentation are attached hereto. The Deputy Attorney General advised that a copy of this summary and attachments will be made available to the Senate Foreign Relations Committee and to Mr. Carlyle Maw, Legal Adviser, Department of State, under the same conditions other material has been furnished these recipients.

Interviews of present and past FBI employees who may be knowledgeable concerning this matter have been conducted. Attached are interview forms on the following individuals: Mr. John P. Mohr, former Assistant to the Director; Miss Helen Gandy, former Executive Assistant to the Director; Mr. William C. Sullivan, former Assistant Director and Assistant to the Director; Mr. Cartha D. DeLoach, former Assistant to the

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Director; Supervisor	, Washington Field Office,
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Wr. Ernest H. Belter, retired FB	Agenty lirs. b6
Administrative Assistant to the I	Director, Miss
Administrative Assistant to the	Director; and Miss b7C
Administrative Assistant	t in the Office of the Director.

Our files contain a memorandum for the Attorney General dated May 12, 1969, captioned "Colonel Alexander M. Haig, Technical Surveillance Request." This memorandum stated Haig came to the FBI on May 10, 1969, (Other information in our files indicates Haig talked to Mr. William C. Sullivan regarding the matter.) and stated a request was being made "on the highest authority" which involved a matter of most grave and serious consequence to our national security. The memorandum indicated Haig requested telephone surveillance be placed on Daniel Ira Davidson, Morton H. Halperin, Colonel Robert Pursley, and Helmut Sonnenfeldt. Approval for these electronic surveillances was obtained from Attorney General John Mitchell on May 12, 1969, and his signature and the date appear on page two of the memorandum.

We have no correspondence in our files showing any instructions to our Washington Field Office to place an electronic surveillance on Halperin on May 9, 1969, May 12, 1969, or any other date. As indicated in the attached interview of Mr. William C. Sullivan on June 15, 1974, he advised he had not instructed the Washington Field Office to institute an electronic surveillance on Halperin on May 9, 1969, either on his own authority or anyone else's. He was shown FBI logs showing an electronic surveillance on Halperin for the dates of May 9, 10, and 11, 1969. He stated he could furnish no information which would shed any light on how the coverage on Halperin could have been in effect for the above dates when the Attorney General's authority was not obtained until May 12, 1969. He stated his b6 normal procedure was to telephonically contact Supervisor b7C of our Washington Field Office and to instruct him to initiate coverage. He stated he assumed this procedure was followed when he was advised the Attorney General had approved the coverage on May 12, 1969. He indicated that, although he probably had seen the logs on Halperin dated May 9, 10, and 11, 1969, he could not state on what date or dates he may have seen them. He acknowledged his handwriting appears on the May 10, 1969, log. He advised that in reviewing mail, he frequently read the contents thereof without paying particular attention to the dates.

As indicated in the attached interview of Supervisor of our Washington Field Office, he advised	
that, to the best of his recollection, he received a telephone	
call from William C. Sullivan who related he was calling	1 (
because the Bureau wanted some special coverage conducted on	b6
the "highest authority." He stated Mr. Sullivan furnished him	b7C
the names of several individuals on whom this coverage should	
be instituted, but cannot recall the identities of these	
individuals. is unable to recall the date or day of the	
week on which the call was received, but believes it was	
received sometime during the afternoon. He stated he presently	
received sometime during the architecture are presented.	
has no written record regarding the above conversation with	
Mr. Sullivan. He advised that Mr. Sullivan's instructions were	
relayed to Supervisor Exnest H. Belter of the Washington Field	
Office.	
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As indicated in the attached interview of Ernest H. Belter, now retired, Belter advised that, while he has no clear recollection as to the specific time or date, sometime probably in the Spring of 1969 he was instructed by Supervisor to effect electronic surveillances on Morton Halperin, a man named Sonnenfeldt, and a man named Davidson. He believes there was a fourth person named, but does not at this time recall the identity of the individual. He stated that, bo while he is unable to specifically recall the date or time he received his instructions from Supervisor ____, he believes b7C this initial request could well have been on a Friday, but reiterated he has no record to substantiate his belief. He does know that, after receiving the instruction from Supervisor , he initiated the necessary action to effect a contact with the phone company. It is Mr. Belter's recollection that on the same afternoon positive information was received on the Halperin line.

In the attached interview of Mr. William C. Sullivan on June 18, 1974, he recalls being shown a memorandum by Mr. J. Edgar Hoover pertaining to a Camp David meeting. Mr. Sullivan does not recall the date this occurred. According to Mr. Sullivan, the memorandum indicated that at the Camp David meeting President Nixon was disturbed about White House leaks of information and indicated something had to be done about it. According to Sullivan, the memorandum indicated Mr. Hoover told President Nixon he would do something

about the White House leaks, but Mr. Sullivan indicated there was no reference in the memorandum to possible utilization of electronic surveillances. Mr. Sullivan stated that in this meeting with Mr. Hoover, Mr. Hoover did not ask him to do anything regarding the White House leaks.

Concerning the meeting at Camp David referred to by Mr. Sullivan, Mr. Hoover's appointment book contains an entry showing that Mr. Hoover had dinner with the President and The Attorney General at Camp David on Friday, April 25, 1969. The appointment book contains no other clarifying information. A copy of the pertinent page of the appointment book is attached hereto.

Mr. Sullivan also recalled, during his interview on June 18, 1974, having seen a memorandum regarding a meeting between Dr. Kissinger and Mr. Hoover in early May, 1969. He recalled that the memorandum indicated Dr. Kissinger made a request of Mr. Hoover that certain wiretaps be put on to counteract White House leaks of information. Mr. Sullivan did not recall the names of any individuals mentioned. It is Mr. Sullivan's recollection that the memorandum showed that Mr. Hoover had told Dr. Kissinger that the FBI could initiate the wiretaps requested and that it would be done. Mr. Sullivan stated he has no recollection of having received any request from Mr. Hoover for any necessary action based on information set forth in the memorandum.

Concerning the meeting between Mr. Hoover and Dr. Kissinger in early May, 1969, Mr. Hoover's daily logs of telephone calls and personal meetings contain an entry showing that Dr. Kissinger met Mr. Hoover in Mr. Hoover's office at 4:27 p.m., May 5, 1969. No other such meetings were recorded during early May, 1969. The daily logs also show that the President telephoned Mr. Hoover at his home at 6:55 p.m., May 2, 1969. The logs show contacts between Dr. Kissinger's office and Mr. Hoover's office during the day May 5, 1969, in connection with an appointment for Dr. Kissinger. The logs also record that immediately following the meeting between Mr. Hoover and Dr. Kissinger at 4:27 p.m., May 5, 1969, Mr. Hoover attempted unsuccessfully to telephone Assistant Director W. C. Sullivan at 4:43 p.m.

As indicated in the att	ached interviews of Mr. John Miss
, and Miss	, these individuals were b6
unable to furnish any information	regarding the memoranda 570
referred to by Mr. Sullivan regar	ding the Camp David meeting
and Dr. Kissinger's meeting with	Mr. Hoover on May 5, 1969.
Mrs. Miss and Mi	were the employees
who handled all of Mr. Hoover's d	ictation.

An exhaustive search was made of all FBI records in an effort to locate the two memoranda referred to by Mr. Sullivan concerning the Camp David meeting and the meeting between Mr. Hoover and Dr. Kissinger in early May, 1969. However, no trace of these documents could be found. Documents such as these, if related to the use of wiretaps concerning the White House leaks at that point in time should have been filed along with similar documents, such as the five memoranda prepared by Mr. Hoover on May 9, 1969, concerning his exchange of telephone conversations with Dr. Kissinger on that date. The May 9, 1969, memoranda were among those turned over to Mr. Sullivan's care by Mr. Hoover and which were subsequently turned over by Mr. Sullivan to Mr. Robert C. Mardian, former Assistant Attorney General, in the Summer of 1971.

The May 9, 1969, memoranda, with other related documents, were recovered by the FBI from the White House May 12, 1973, where they had been in the custody of Mr. John D. Ehrlichman. The two memoranda referred to by Mr. Sullivan, concerning the Camp David meeting and the early May, 1969, meeting between Mr. Hoover and Dr. Kissinger, were not among the documents recovered and inventoried on May 12, 1973. The FBI has no inventory or record of documents turned over to Mr. Sullivan by Mr. Hoover, nor do we have an inventory or record of documents turned over to Mr. Mardian by Mr. Sullivan.

With respect to the date and time of installation of the first four wiretaps installed in connection with this case, the only available records we could check which could establish this are the logs of the wiretaps. These show that the wiretap on Morton H. Halperin could not have been installed later than 6:20 p.m., May 9, 1969. The wiretap on Ira Davidson could not have been installed later than May 13, 1969, although the time of day is not known. The first recorded time

of day is 9:30 a.m., May 14, 1969. The wiretap on Robert Pursley could not have been installed later than 6:05 p.m., May 13, 1969. The wiretap on Helmut Sonnenfeldt could not have been installed later than May 13, 1969, although the time of day is not known. The first recorded time of day is 11:01 a.m. on May 14, 1969.

A thorough review has been made of all pertinent FBI records and interviews have been conducted of current and former FBI personnel who would have been knowledgeable concerning the matter. However, no information has been located which would explain the fact that the wiretap was installed on Morton H. Halperin on May 9, 1969, whereas the record states it was not authorized until May 12, 1969.

The memorandum of Mr. Hoover dated May 9, 1969, at 5:05 p.m., revealed that Mr. Hoover gave Dr. Kissinger the names of (Morton) Halperin, (Lawrence) Eagleburger, and Mr. Hoover indicated that, based on contacts the FBI had made, leaks to William Beecher as reported in his article in the New York Times on May 9, 1969, could have come and probably did come from a staff member of the National Security Council.

Mr. Hoover told Dr. Kissinger that

Mr. Hoover told Dr. Kissinger that Halperin,

Eagleburger and were all acquainted with Beecher.

Wiretaps were never installed on either Eagleburger or b70

This particular memorandum is the only document closely related to the time the Halperin wiretap began to log conversations at 6:20 p.m., May 9, 1969. It does not, however, discuss in any way the matter of wiretaps.

who was then a staff member of the National Security Council.

The Director's daily log of telephone calls and personal meetings does not show that Mr. Hoover made a call to Mr. Sullivan following the 5:05 p.m. telephone call on May 9, 1969. However, if Mr. Hoover used his direct line to Mr. Sullivan, such call would probably not have been logged.

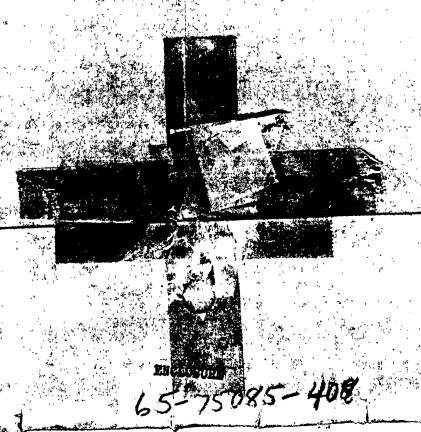
The Director's daily logs of telephone calls and personal meetings do not show that Mr. Sullivan was in Mr. Hoover's office any time between April 25, 1969, and May 31, 1969. However, in light of Mr. Sullivan's statement concerning having seen memoranda relating to Mr. Hoover's Camp David meeting and his meeting with Dr. Kissinger in early May, 1969, the daily logs should not be considered infallible.

Enclosures - 18

1 - The Deputy Attorney General

7 - -

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 09-22-2011 BY 60322 UC/LP/PLJ/JCF



JUNE

1 - Mr. J. B. Adams 1 - Mr. H. N. Bassett 1 - Mr. W. R. Wannall

July 3, 1974

The Attorney General 165-75085-409

1 - Mr. A. B. Fulton

Director, FBI

SENATE COMMITTEE ON FOREIGN RELATIONS

Reference is made to the memorandum from Mr. James A. Wilderotter, Associate Deputy Attorney General, to me dated June 28, 1974, captioned as above, enclosing a communication dated June 27, 1974, from Mr. Norvill Jones of the Committee on Foreign Relations, United States Senate, wherein certain additional documents are requested relating to wiretaps operated for the White House between May, 1969, and February, 1971. I noted that Mr. Jones suggested this could be handled at his As in the past, I am directing my reply to you. that communications on this subject should be sent to Senator Fulbright or members of the Committee on Foreign Relations, rather than to staff members, in view of the highly sensitive nature of this material.

Mr. Jones inquired whether "the Department of Justice including the FBI, has been unable to find in its files any record of personal or telephonic contact between Mr. Hoover and Dr. Kissinger or Col. Haig in the period May 1969 through the termination of the wiretaps in February 1971, other than the memoranda of the Hoover-Kissinger telephone conversations on May 9, 1969?" A thorough search of this Bureau's files did not reveal any memoranda indicating personal or telephonic contact between Mr. Hoover and Dr. Kissinger or Colonel Haig concerning pertinent wiretap matters in the period May, 1969, through the termination of these wiretaps in February, 1971, other than the five memoranda of Mr. Hoover relating to telephonic conversations on May 9, 1969, and other material which have been previously furnished you.

aid (D SEE NOTE PAGE THREE JWD:rfk b6 (9) b7C Classified by 183 Exempt from GDS, Categories 2 and 3 Date of Declassification Indefinite ROUTE IN ENVELOPE

Assoc. Dir. . Dop. AD Adm. _ Dop. AD Inv. Asst. Dir.i Comp. Syst. Ext. Affairs

In the interest of clarity, I have repeated Mr. Jones' requests, followed with my response.

"1. The text of the handwritten note by Hoover (indecipherable on our copy) at the bottom of the February 10, 1971, memo from Sullivan to Tolson listing the wiretaps then outstanding and any memos relative to termination of the entire wiretap program, other than this memo and the February 11, 1971, memo from Hoover to Mitchell."

Mr. Hoover's handwritten note reads, "Inquire of Col. Haig if any may be taken off. H." A search of our files did not reveal any memoranda relative to the termination of this wiretap program other than those which have been previously furnished to you.

"2. Memos from Hoover to Mitchell dated, apparently, (1) June 20, 1969, notifying Mitchell of the discontinuance of the taps on Sneider, Moose, and Sonnenfeldt; (2) June 2, 1969, relative to discontinuance of the tap on Pursley."

The above referenced memoranda state under the word, recommendations, "that the attached memorandum containing only the original be handled by the Director with the Attorney General as was done in matters involving this investigation." Copies of the memoranda to the Attorney General were not located in Bureau files; the original memoranda should be located in Department of Justice files.

"3. Cover memo of approximately September 8, 1969, relative to discontinuance of the tap on Smith."

The files of this Bureau did not contain a cover memorandum pertaining to the September 8, 1969, memorandum to the Attorney General advising of the discontinuance of the wiretap on Hedrick L. Smith. It is noted that the note on this memorandum to the Attorney General states, "... only the original of this memorandum advising the Attorney General of the discontinuance is being sent and a copy has been designated only for this Gandy."

SPORT

The Attorney General

"4. Any memoranda resulting from the President's telephone conversation with Hoover on May 2, 1969, if the memoranda is relative to the subsequent wiretap program."

The files of this Bureau do not contain any memoranda referencing the President's telephone call to Mr. Hoover at his home at 6:55 p.m., May 2, 1969, relative to this wiretap program.

"5. Any memoranda by Attorney General Mitchell resulting from his dinner meeting with the President and Mr. Hoover at Camp David on April 25, 1969, insofar as the memoranda may relate to the subsequent wiretapping program.

Any such memoranda would be located in the files of the Department of Justice.

I certainly hope this information will assist you in replying to the Committee on Foreign Relations.

1 - The Deputy Attorney General

1 - The Associate Deputy Attorney General

NOTE:

Mr. Jones' requests refer to material which has been previously furnished to the Committee on Foreign Relations through communications from the Director sent to the Attorney General.

Memorandum is classified "Secret" since unauthorized disclosure would jeopardize sensitive sources and reveal interest in foreign relations matters.

UNITED STATES GOVERNMENT

 ${\it Memorandum}$

ALL FBI INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 09-22-2011 BY 60322 UC/LP/PLJ/JCF

TO

: Clarence Kelley

Director, FBI

DATE: June 28, 1974-p-A:D-Adm

DEPARTMENT OF JUSTICE

Assoc. Dir.

st. Dir.: Admin. Comp. Syst.

Ext. Affairs

Files & Com.

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DAY TIN

FROM

: James A. Wilderotte

ney General Associate Deputy Atto

SUBJECT: ASenate Committee on Foreign Relations

Attached is a letter I received today from Norvill Jones, the staff man on the Senate Foreign Relations Committee working on the Committee's review of Dr. Kissinger's role in the national security wiretap program. You will note that Mr. Jones' letter and attachment request certain additional material.

I would appreciate your preparing an appropriate response for me to send Mr. Jones.

Thank you.

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FBI AUTOMATIC DECLASSIFICATION GUIDE DATE 10-18-2011

DECLASSIFICATION AUTHORITY DERIVED FROM:

United States Senate

COMMITTEE ON FOREIGN RELATIONS WASHINGTON, D.C. 20510

June 27, 1974

CLASSIFIED- When attached to enclosure

The Honorable James A. Wilderotter Associate Deputy Attorney General U. S. Department of Justice Washington, D. C.

Dear Jim:

This is in further reference to Mr. Silberman's letter of June 24 to Senator Fulbright transmitting additional materials concerning Dr. Kissinger's role in the wiretap program. From the review of these materials and a study of other information it appears that there are still a number of gaps in the documents supplied to the Committee and some question as whether additional pertinent documents may be available. I see no reason why we cannot handle this follow-up at our level.

I would appreciate your providing the Committee with the documents or information requested on the attached page. Any materials supplied would, of course, be handled in accordance with the previous agreement.

Am I correct in my understanding that the Department's of Justice including the FBI, has been unable to find in its files any record of personal or telephonic - " contact between Mr. Hoover and Dr. Kissinger or Col. Haig in the period May 1969 through the termination of the wiretaps in February 1971, other than the memoranda of the Hoover-Kissinger telephone conversations on May 9, 1969?

Thanks for your cooperation on this matter. Please give me a call if you have any questions.

Sincerely yours,

Norvill Jones

EIICLOSURE 65-75085-409

ADDITIONAL MATERIALS REQUESTED FROM THE DEPARTMENT OF JUSTICE BY THE COMMITTEE ON FOREIGN RELATIONS June 27, 1974

DECLASSIFICATION AUTHORITY DERIVED FROM: FBI AUTOMATIC DECLASSIFICATION GUIDE DATE 09-22-2011

- 1. The text of the handwritten note by Hoover (indecipherable on our copy) at the bottom of the February 10, 1971, memo from Sullivan to Tolson listing the wiretaps then outstanding and any memos relative to termination of the entire wiretap program, other than this memo and the February 11, 1971, memo from Hoover to Mitchell.
- 2. Memos from Hoover to Mitchell dated, apparently, (1) June 20, 1969, notifying Mitchell of the discontinuance of the taps on Sneider, Moose, and Sonnenfeldt;—(2) June 2, 1969, relative to discontinuance of the tap on Pursley.
- 3. Cover memo of approximately September 8, 1969, relative to discontinuance of the cap on Smith.
- 4. Any memoranda resulting from the President's telephone conversation with Hoover on May 2, 1969, if the memoranda is relative to the subsequent wiretap program.
- 5. Any memoranda by Attorney General Mitchell resulting from his dinner meeting with the President and Mr. Hoover at Camp David on April 25, 1969, insofar as the memoranda may relate to the subsequent wiretapping program.

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ENCLOSURE 65-75085-409

1 - Mr. J. B. Adams 1 - Mr. W. R. Wannall

1 - Mr. A. B. Fulton

The Attorney General

July 16, 1974

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JUNE

Director, FBI

SPECOV WIRETAPS OPERATED FOR THE WHITE HOUSE

BETWEEN MAY, 1969 AND FEBRUARY, 1971

Reference is made to my letter and the telephone conversation between Mr. James Wilderotter,

Associate Deputy Attorney General and Inspector Thomas J. Smith of this Bureau on July 10, 1974. My letter of June 20, 1974, responded to a request

of the Department by Senator James W. Fulbright, Chairman, Committee on Foreign Relations, for information relating to Pr. Henry Kissinger's role in the wiretapping of 17 Government officials and newspapermen. Specifically, Senator Fulbright inquired concerning the existence of any memoranda prepared pby Mr. Hoover as a result of any meetings or telephone conversations between him and Dr. Kissinger in the period May, 1969 to February 1971. In particular, the Senator was interested In any memoranda prepared following a meeting between these two officials on June 4, 1969.

In my response, I indicated we were unable to locate any records of such a meeting on June 4, 1969.

I pointed out that Bureau memoranda identified as serials 65-75085-267 and 268 prepared by former Bureau official W. C. Sullivan on June 4, 1969, indicated contact between these officials. 65- 75085-410

As Inspector Smith pointed out to Mr. Wilderotter on July 10, 1974, we have located a daily log and an office appointment book maintained in the Director's Office for June 4, 1969. The appointment book indicates Dr. Kissinger was scheduled to meet with Mr. Hoover on June 4, 1969, at 9:00 a.m. The office - daily log shows Dr. Kissinger saw Mr. Hoover at 9:38 a.m. on Dop, AD Adm - that date. In addition, the daily log for June 3, 1969, shows a telephone call from Dr. Kissinger's secretary during which the appointment for Dr. Kissinger for June 4, 1969, was made. No memoranda written as a result of this meeting have been located. I am enclosing herewith copies of the documents mentioned above.

Enclosures - FRCLOSURE

(7)

112 JUL 17 1974 1 - The Deputy Attorney General (Enclosures

JEE NOTE PAGE TWO

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NOTE:

This is to confirm information furnished by Mr. T. J. Smith to Mr. Wilderotter indicating that Bureau files confirm the meeting of June 4, 1969, but that no memoranda as to what transpired are available.

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